

2024 Legislative Review

Seth Grigg, Executive Director

Sara Westbrook, Director of Government Affairs

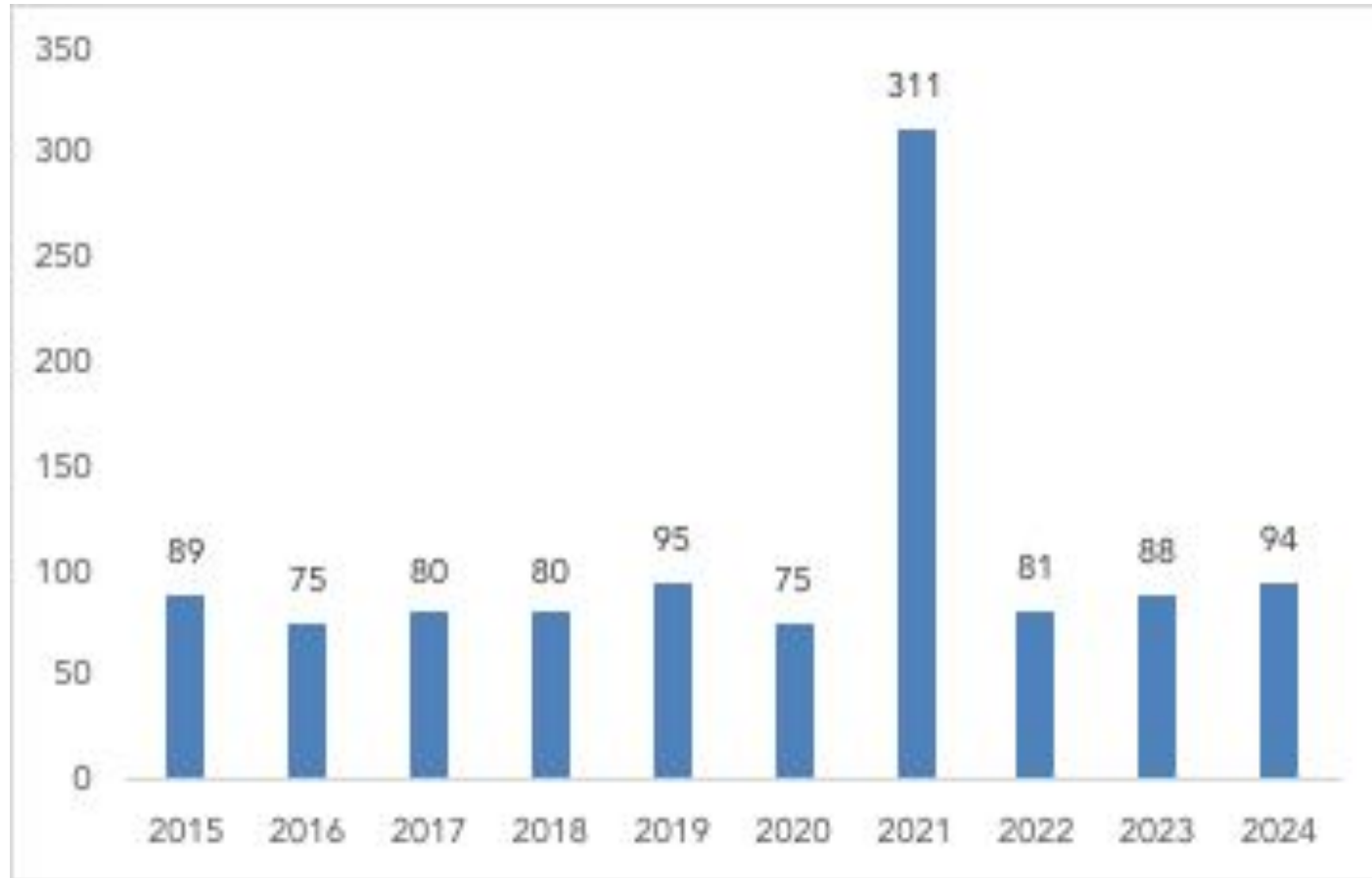
Kelli Brassfield, Policy Advisor



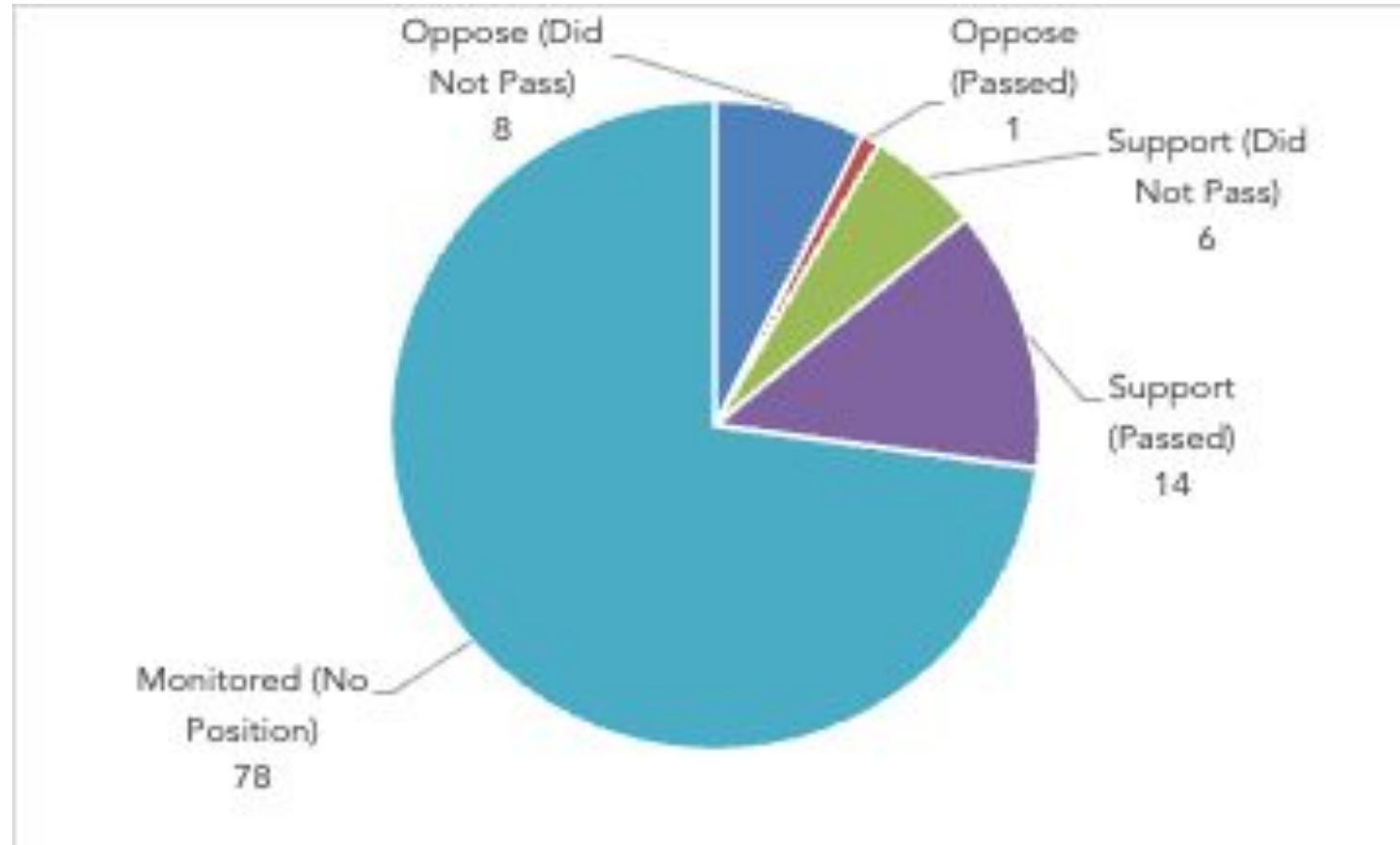
2024 Session at a Glance



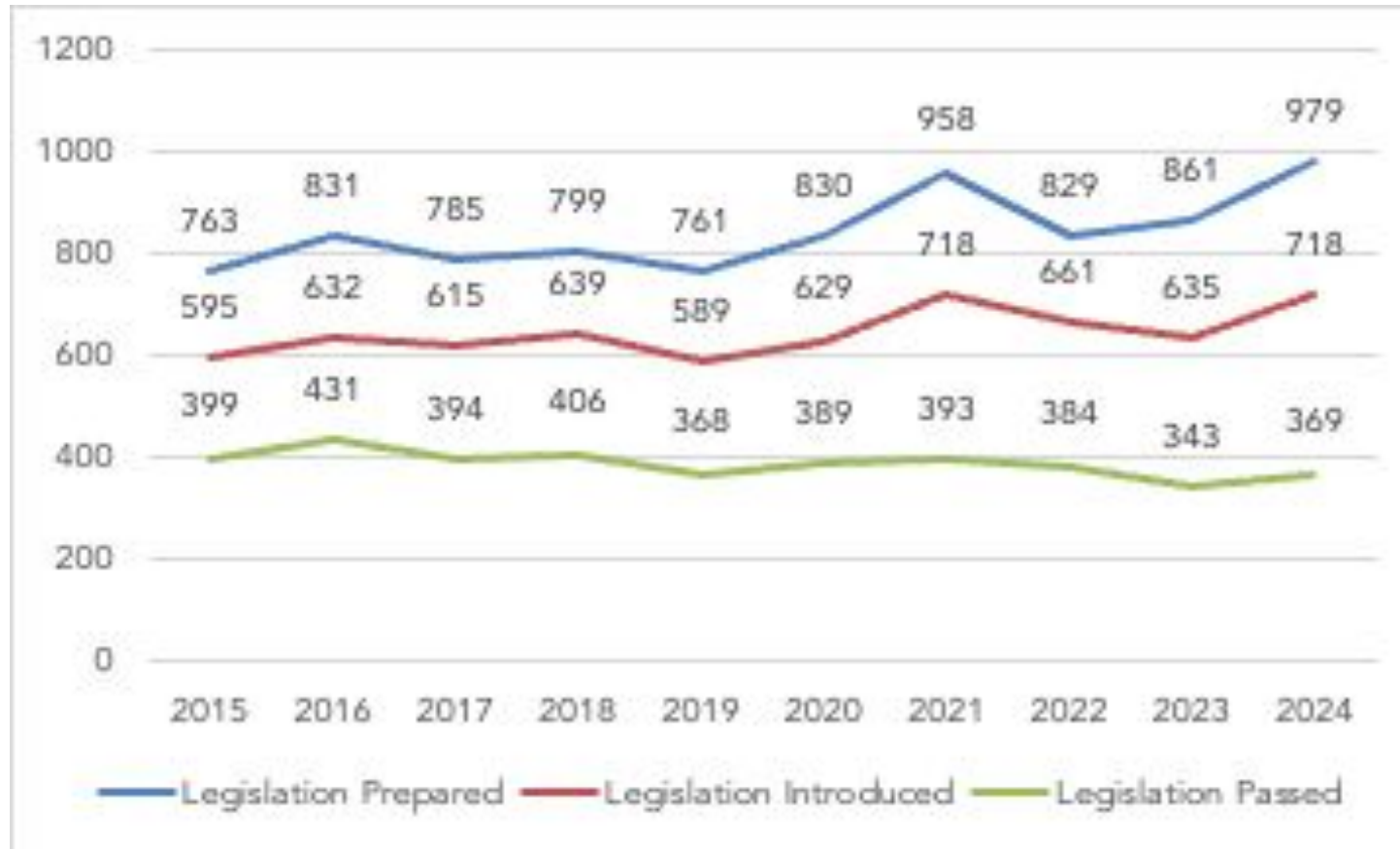
2015-2024 Legislative Session Lengths



IAC Legislative Committee Tracked Legislation



Legislation Production



Elections



H599: Ballot Harvesting Prohibition

Sponsors: Representatives Mike Moyle & Brandon Mitchell

Impact:

Creates guidelines regarding ballot harvesting

- County elections staff ballot handling exceptions
- Allows family members to submit on behalf
- If caught with 6-10 ballots=misdemeanor
- If caught with 10 or more completed ballots=felony

Effective: April 8, 2024



S1377: Ballot Signature Gatherers

Sponsor: Senator Doug Okuniewicz

Impact:

Creates following requirements for paid petition gatherers:

- Must verbally inform potential petition signers
- Prominently print on petition that signature gatherer is receiving payment
- Paid petition gatherer must wear badge identifying them as "paid petition circulator"

S1377: Ballot Signature Gatherers

- Both paid and unpaid petition gatherers must sign affidavits acknowledging whether or not paid

County clerk now required to do the following:

- Confirm each name, address, and signature matches qualified elector
- Confirm that petitions conform to all provisions in the section.

Effective: July 1, 2024



S1394: Voting Machines

Sponsor: Senator Treg Bernt

Impact:

- Makes tampering with voting machines &/or vote tally systems a felony offense
- Allows SOS to authorize access to machines or tally systems with county clerk's consent to test, inspect, maintain or for other reasons deemed necessary
- Updates certification process for machines and tally systems

S1394: Voting Machines

- Makes clear that no vote tally system is to be connected to internet (Does not apply to e-poll books)
- Provides public logic and accuracy test process

Effective: July 1, 2024

HJR 5: Proposed Constitutional Amendment

Sponsors: Rep. Kevin Andrus & Senator Doug Okuniewicz

Impact:

Amendment to create clarity that only U.S. Citizens who are Idaho residents are qualified electors.

- Will be on November 2024 Ballot



H561: Canvass Report

Sponsors: Rep. Tina Lambert & Senator Scott Herndon

Changes the abstracts of returns process to a canvass report. The report must include the following:

- Total number of votes cast for each candidate
 - By county & legislative district
- Total number of affirmative and negative votes cast for any special questions
- Any overvotes & undervotes cast by county

Effective: July 1, 2024



S1244: Electioneering Near Polling Places

Sponsors: Senator Linda Wright Hartgen & Representative Mark Sauter

Impact:

- Moves from 100' to 250' from primary entrance & exit voters use
- Private property (doesn't apply)
- Allows any election official to address electioneering including contacting law enforcement

S1244: Electioneering Near Polling Places

- First two violations: infraction & \$300 fine
- Three or more violations: misdemeanor

Effective: March 26, 2024

Justice & Public Safety



H508: PERSI Rule of 80

Sponsors: Representatives Rick Cheatum & Marco Erickson

Impact:

- Adds supervisory emergency communications, juvenile probation, detention, & misdemeanor probation officers
- Requires that additional categories and classes of employees may only be considered if they are engaged in hazardous duty with arduous physical requirements
- Qualifying employees will have to increase biweekly contribution by 3.65% per year

H508: PERSI Rule of 80

- County contribution will increase by 2.69% per year based on PERSI salary of \$50,000

Effective: July 1, 2024



H406: Fentanyl Mandatory Minimums

Sponsors: Representatives Ted Hill & Chris Allgood

Impact:

- Sets amounts and creates mandatory sentences for trafficking fentanyl
- Adds drug-induced homicide as a felony

Effective: July 1, 2024

H593: Unused PTO Transfer

Sponsor: Representative Jon Weber

Impact:

- Eligibility: nonclassified officers & employees previously employed by county office or joint office of public defender
- Hired by SPD prior to January 1, 2025
- Up to 40 hours unused PTO transferred/ credited
- Prior employing county to deposit funds for PTO to the SPD fund (57-827)

Effective: March 22, 2024



H697: Unused Sick Leave Transfer

Sponsor: Representative Jon Weber

Impact:

- Eligibility: nonclassified officers & employees previously employed by county office or joint office of public defender
- Must be hired by SPD prior to January 1, 2025
- Up to 40 hours of unused sick leave transferred/ credited to employee
- Prior employing county will need to deposit funds corresponding to credited sick leave hours in SPD fund (57-827)

Effective: March 28, 2024



H629: Guardian Ad Litem for Divorce Cases

Sponsor: Representative Doug Pickett

Impact:

- Allows court to appoint a guardian ad litem to represent interests of minor or dependent child if court deems the assistance is necessary.
- Requires court to enter an order for costs, fees, and disbursements to be borne by county if both parties are indigent.
- Will need to clean up (32-704, Idaho Code) next legislative session.

Effective: July 1, 2024



H530: e911 Fee Increase (Did Not Pass)

Sponsor: Representative Dustin Manwaring

Impact:

Would have increased the 911 fee that counties receive from 1-3 dollars to help with increasing technology costs

- Summer working group
- More research needed

S1367: Guardian Ad Litem Representation

Sponsor: Senator Abby Lee

Impact:

- Clarifies State Public Defender (SPD) now responsible for coverage & payment for indigent and statutorily required coverage
- Creates fund to coordinate statewide payment for representation

S1367: Guardian Ad Litem Representation

- Pro bono programs should be relied on first
- Absent pro bono council, attorneys shall be paid by county
- County to be reimbursed for actual, verified costs of representation county incurred (See 57-828, Idaho Code)

Effective: 07/01/2024-Section 6 & 7; 10/01/2024-Section 1-5



S1247: 24-Hour Holds

Sponsor: Senator Melissa Wintrow

Impact:

Creates pathway for a person with a major neurocognitive disorder (Alzheimer's, dementia) in acute crisis to be taken to emergency room for medical assessment.

- Due process is allowed for the patient

Effective: October 1, 2024

S1374: Concealed Weapons on Public Property

Sponsors: Senators Scott Herndon & Todd Lakey

Restrictions to carrying concealed weapons may only be invoked on public property in the following circumstances:

- when utilized for private invite-only event
- A commercial event that charges admission

Effective: July 1, 2024

S1365: Next of Kin Database

Sponsors: Senator Mark Harris & Rep. Dustin Manwaring

Impact:

Creates a database within the DMV allowing people to opt-in to listing next of kin contact when getting or renewing driver's license.

- Defines Next of Kin (NOK)
- Coroners and other law enforcement will be able to access to notify NOK in case of injury, death, or other emergencies.

Effective: July 1, 2025



S1416: EMS Sustainability Fund (Did Not Pass)

Sponsors: Senators Mark Harris & Carl Bjerke; Representatives Mark Sauter & Megan Blanksma

Impact:

- Would have moved EMS Bureau from DHW to OEM
- Would have declared EMS essential service
- Would have created an EMS Sustainability Fund

Planning, Zoning & Land Use



H478: Electrical & Plumbing Inspections

Sponsors: Rep. Jon Weber & Senator Mark Harris

Authorizes counties to perform electrical & plumbing inspections.

- May contract with a city for inspections
- May choose to allow state to continue inspections

H571: Licensed Contractor Exemption

Sponsor: Representative Mark Sauter

- Raises threshold for single public works project requiring oversight of licensed contractor from \$50,000 to \$100,000

Effective: July 1, 2024



S1293: Annexation by Cities

Sponsors: Rep. Julianne Young & Senator Julie VanOrden

Impact: Changes city annexation process including following county impacts:

- City now required to notify each landowner & BOCC of intent to annex land
- Highways must be fully annexed unless express agreement between city and highway agency
- Fairground property cannot be annexed unless approved by BOCC

Effective: July 1, 2024



S1403: Area of Impact

Sponsors: Senator Todd Lakey & Rep. Dustin Manwaring

Impact: Updates statute to comply with current caselaw.

- Requires existing AOI be reviewed by December 31, 2025 to ensure compliance with current law
- Requires AOI boundaries be reviewed every 5 years
- Limits AOI to up to 2 miles

S1403: Area of Impact

- Prohibits AOI boundary overlap
- Eliminates Committee of 9
- Promotes cooperation between counties & cities to determine AOI boundaries

Effective: July 1, 2024



H608: Agricultural Protection Areas

Sponsor: Representative Kevin Andrus

Impact:

- Establishes process for farmers, ranchers, timberland owners to petition to county to include lands in APA
- APA dedicated no less than ten years, no more than 20 (unless renewed)
- APA lands exempt from most land use regulations if they deviate from land's original ag use designation



H608: Agricultural Protection Areas

- Limited use of eminent domain to maintain or expand existing highway right of way allowed
- Requires counties to establish APA ordinance by January 1, 2025

Effective: July 1, 2024

H425: State Disaster Preparedness

Sponsor: Representative Dustin Manwaring

Impact:

- Ensures Idaho maintains eligibility for national floodplain insurance by:
 - Removing language that prohibited county from regulating the operation, cleaning, maintenance, or repair of irrigation infrastructure located within the floodplain

Effective: March 25, 2024



Transportation



H770: Transportation Funding

Sponsors: Rep. Clay Handy & Senator Kevin Cook

Impact:

- Local road and bridge maintenance (Highway Distribution Funds): \$121M (Meant to be continual, but has to be appropriated every year)
- Local Idaho Local Bridge (LILB) funding: \$200M last tranche

Effective: July 1, 2024



H729: Highway User Revenue Certification

Sponsor: Representative Joe Palmer

Impact:

- Requires expenditure of HDA funds be certified annually by BOCC stating revenues and ad valorem levies expended for intended purposes
 - Purposes may include transportation operations, administration, maintenance, construction, and development of bridges & highways
 - Benefit primarily motor vehicles



Effective: July 1, 2024

H638: Strategic Initiatives Grant Program

Sponsor: Representative Joe Palmer

Impact:

Changes administration of this program from ITD to LHTAC.

- No funds were allocated for the program this year

Effective: July 1, 2024



S1282: Temporary Registration Permits

Sponsors: Senator Chris Trakel & Rep. Clay Handy

Impact:

Allows DMV to issue two 30-day temporary vehicle registration permits if vehicle owner is attempting to sell vehicle to private party.

Effective: July 1, 2024



Revenue & Taxation



H521: Changes to ATR, SDFF, & SMFF

Sponsors: Representatives Mike Moyle & Jason Monks

Impact:

- Additional Tax Relief Fund (ATR) no longer in effect
- STC will confirm & distribute School District Facilities Funds (SDFF) & School Modernization Facilities Funds (SMFF) by Aug. 31st.
- STC will provide amounts to county clerks in early September

H521: HTR Assessor Responsibilities & Timeline

- STC will know HTR amount by Early August
- Prepare preliminary HTR roll & send to county Auditor by May 1st
- Use same format as 2023
- Include only property receiving H.E. by 2nd Monday in July

H521: HTR Auditor Responsibilities & Timeline

- Complete HTR roll by adding prior year (2023) eligible levies applicable to homeowner & showing a total estimated tax from all such levies for all eligible property in county (may already be done programmatically by Assessors)
- Completed roll certified to STC by 2nd Monday in September (must include total estimated amount of eligible property taxes)
- Taxing districts that levied in 2023 and dissolved effective 2024 should not be included in estimated tax computation

H521: HTR Auditor Responsibilities & Timeline

- Current 2024 tax code areas used to determine taxing districts to include
- STC will sum statewide total HTR and divide into HTR as of August 1st
- STC will certify final amounts to auditor and tax collector by 3rd Monday in September

H521: HTR Treasurer Responsibilities & Timeline

- STC will certify final amounts to auditor and tax collector by 3rd Monday in September
- Calculate adjusted factor based on 2024 eligible levies
- Apply final amounts as credits shown on tax notice

Effective Date: July 1, 2024



H521: Other Provisions

- Eliminates August election date
- Reduces personal and corporate income tax from 5.8% to 5.695%
- Creates School Modernization Fund that allows for bonding
- Repeals School District Building Account

H449: Improper Homestead Exemption Penalties

Sponsor: Representative Jeff Ehlers

Impact:

Explains required information on homestead exemption application:

- Homeowner's full name,
- Date of birth,
- Complete address,
- Most recent previous complete address
- State-issued driver's license or identification card # (if applicable)

H449: Improper Homestead Exemption Penalties

- Creates penalties for unlawfully claiming more than one exemption
- Requires assessor to deliver info from application form to ISTC
 - ISTC required to share with SOS to assist in determining valid voting credentials & candidate qualifications

Effective: July 1, 2024



H701: Homestead Exemption Proration & Burden of Proof (Did Not Pass)

Sponsors: Representatives Ned Burns & Jason Monks

Impact if passed:

Would have clarified homestead exemption proration process & created uniformity across the state

H717: Shifting Burden of Proof (Did Not Pass)

Sponsors: Representatives Ned Burns & Jeff Ehlers

Impact if passed:

- Included proration language from H701
- Would have shifted burden of proof in BOE hearings from property owner to county assessor
- Would have limited evidence required from property owner
- Would have limited evidence allowed to be used by assessor

H658 & H739: Hospital Property Tax Exemptions (Did Not Pass)

Sponsor: Representative John VanderWoude

Impact (if passed):

Would have revised hospital property tax exemptions to specify requirements to qualify for an exemption treating hospitals like other non-profits that annually apply to county for exemption.

H574: Bond & Levy Election Disclosures

Sponsor: Representative Kevin Andrus

Impact:

Requires ballot questions & official bond and levy statements that include information about state tax relief to include information about when said relief will expire.

Effective: July 1, 2024



H618: Electioneering Messages

Sponsors: Representative Heather Scott & Senator Scott Herndon

Impact:

Defines “electioneering message” regarding what government may or may not include in correspondence.

- Exception allowed if on county standard letterhead

Effective: July 1, 2024



H444: Sale, Exchange, or Donation of County Tax Deeded Property

Sponsors: Representative Jeff Ehlers & Senator Phil Hart

Impact:

- Prohibits county from transferring property tax deeded after July 1, 2024 to another taxing district.

Effective: July 1, 2024



General Governance & Preemption



H588: Public Records

Sponsors: Representatives Mike Moyle & Sonia Galaviz

Impact:

Increases deadlines for public records request if nonresident of Idaho from 10 days to 21 days.

Effective: July 1, 2024



H545: Preemption on Leasing Ordinances

Sponsor: Rep. Brandon Mitchell

Impact:

- Preempts local governments from enacting, maintaining, or enforcing ordinances that force participation in optional federal housing assistance program or regulating rent, fees, or deposits charged for leasing private property.

Effective: July 1, 2024



H572: Preempts Guaranteed Income Programs

Sponsors: Representative Dale Hawkins & Senator Brian Lenney

Impact:

- Preempts counties from funding or administering guaranteed income, defined as program where an individual is provided with regular, unconditional cash payments for any purpose.
- Does not include programs that require training, work, or seeking reemployment as condition



Effective: July 1, 2024

H620: Knives Preemption

Sponsor: Representative Jordan Redman

Impact: Prevents political subdivisions from regulating knives with exceptions made to allow regulating possession of knives in the following instances:

- Public schools
- Court of record for courthouse
- All law enforcement facilities
- Jails
- Regulated childcare facilities

Effective: July 1, 2024



Questions



Introduction to County Budgeting

Abbie Mace, Fremont County Clerk

Kristina Glascock, Twin Falls County Clerk

Angie Barkell, Owyhee County Clerk

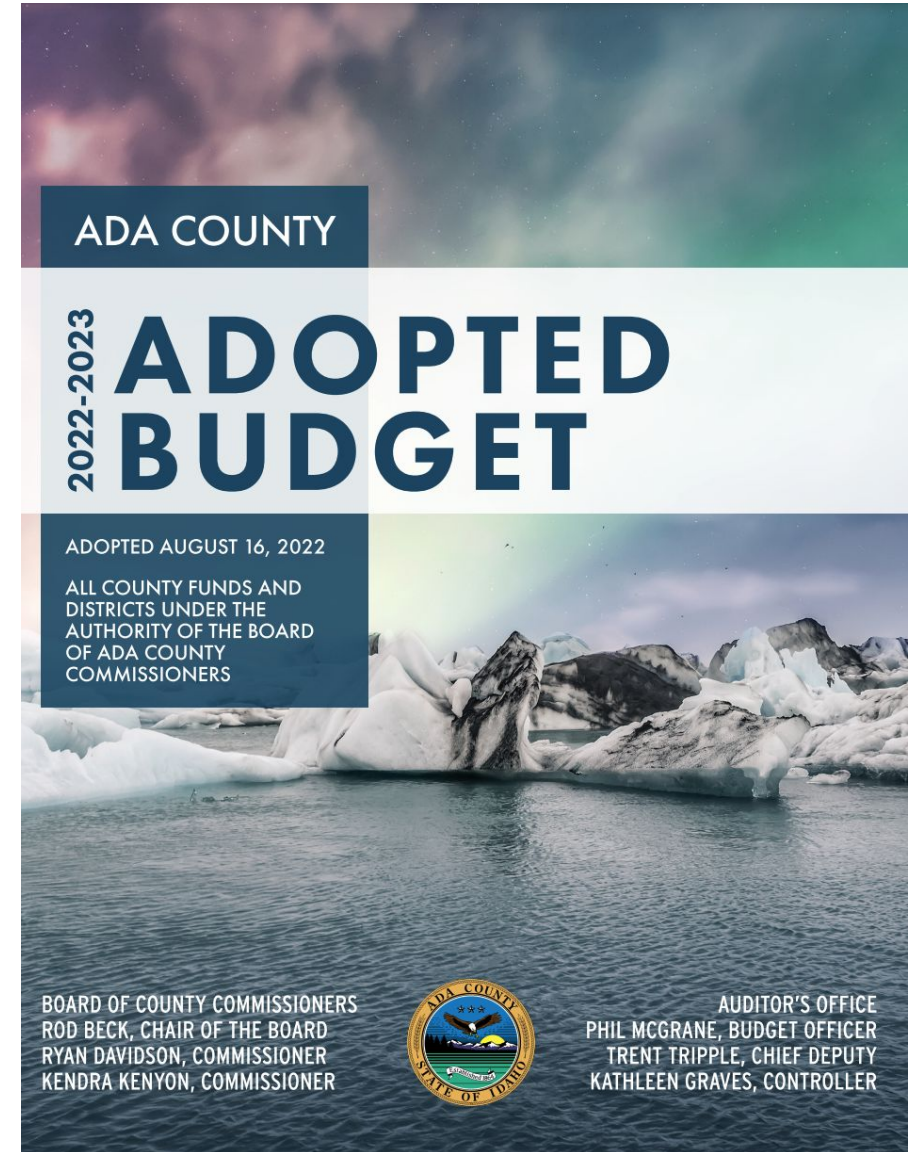
Mary Prisco, Boise County Clerk

Patty Weeks, Nez Perce County Clerk



What is a county budget?








- A policy document adopted by resolution by BOCC
- Reflection of anticipated revenues and expenses
- A roadmap of how county will provide essential county services
- A promise to the public



Evaluating Budget Priorities

- What is the overall financial health of the county?
- Is the service mandated?
- Will it create efficiencies?
- Will it require more staffing?
- Does it have a dedicated revenue source?
- Will it be a one-time expense or an ongoing expense?
- Does it meet current and future growth projections?

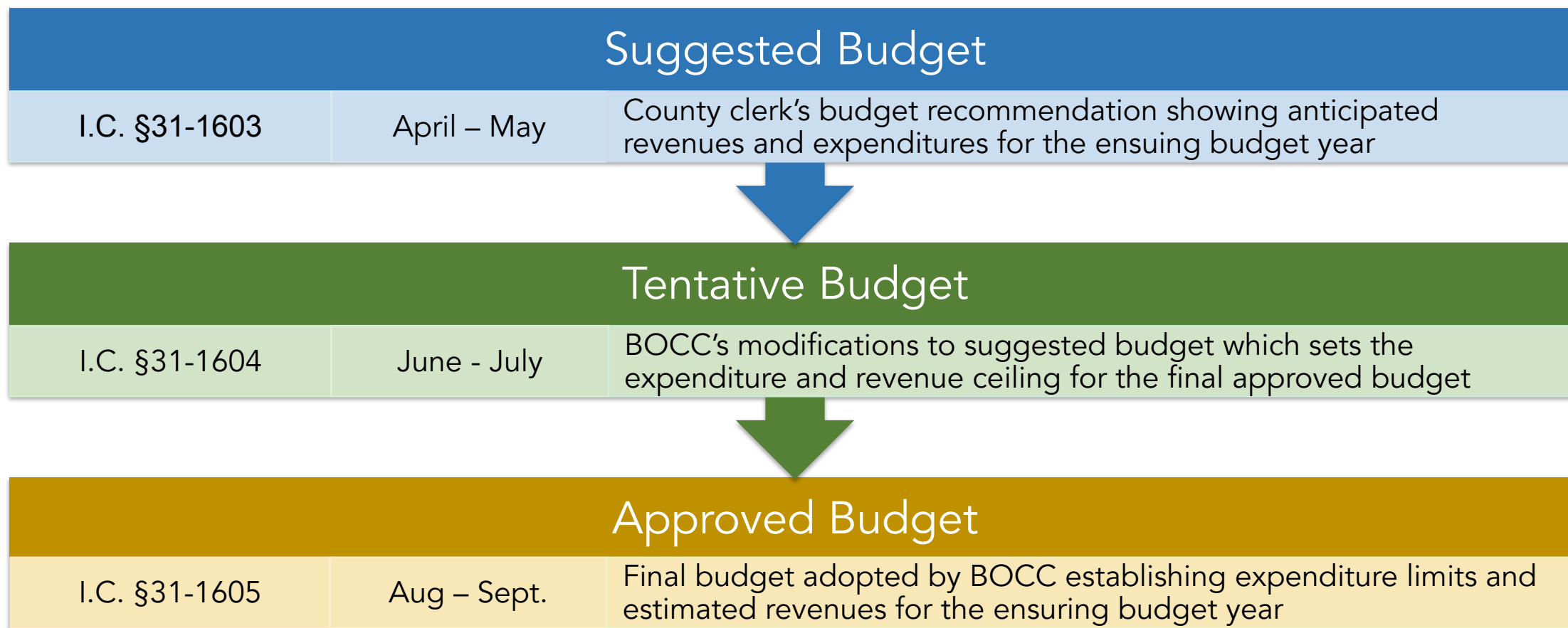
2025 Budget Considerations

- What's up with the economy 
- Revenue sharing growth ( or )
- Employee recruitment and retention
- Inflation  
- Public Defense Transition 
- Secure Rural Schools yet to be reauthorized
- Local transportation funding enhancements:
 - TECM (ongoing and growing)
 - State general fund appropriations (ongoing )

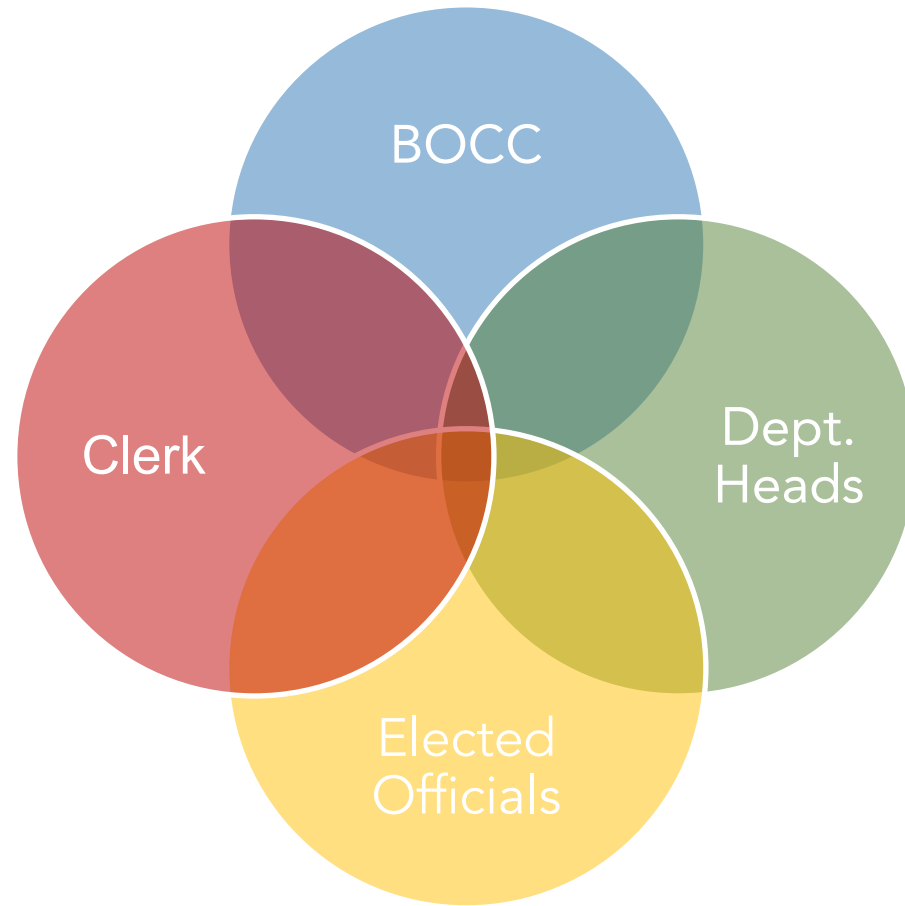
Key 2024 County Budget Deadlines

- May 6th: County clerk distributes budget forms
- May 20th: Budget forms due back to county clerk
- June: BOCC and county clerk meet with E.O.s and department heads
- August 5th: County clerk submits suggested budget to BOCC
- Prior to August 19th: BOCC adopts tentative budget
- August 19th: Publication of tentative budget
- On or before September 3rd: BOCC holds budget hearing/approves budget

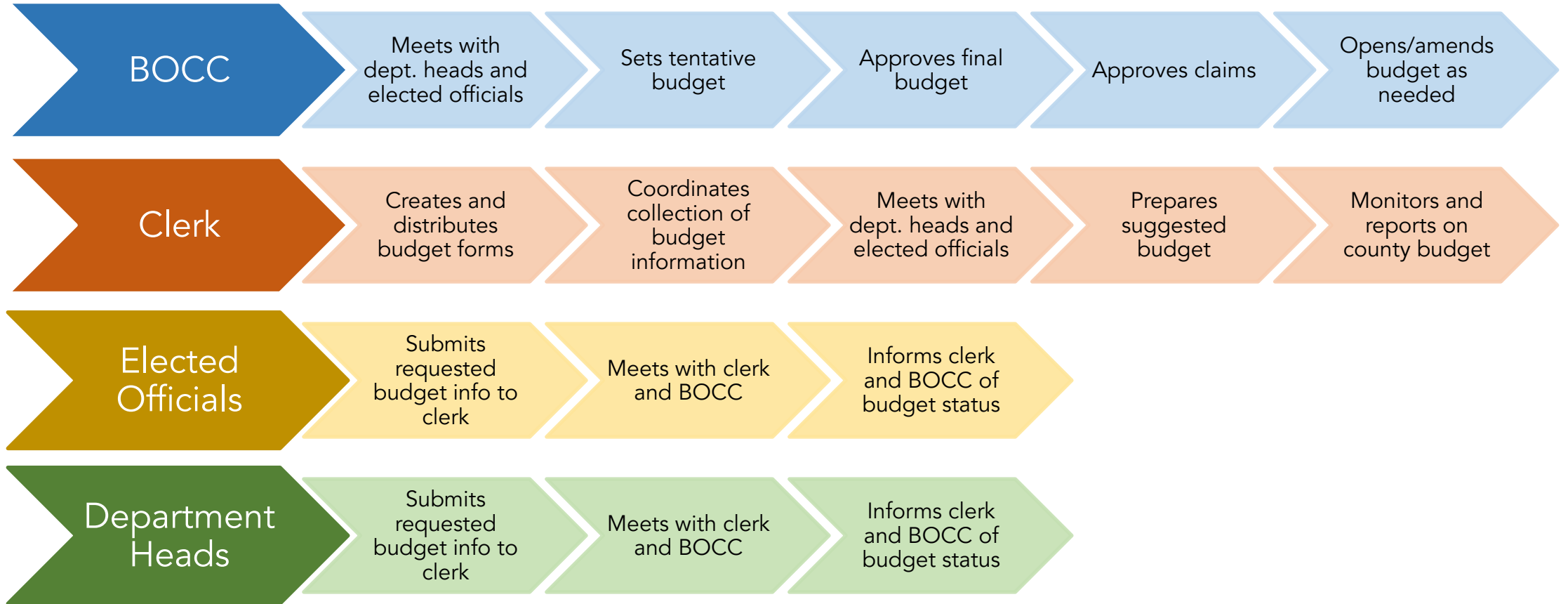
County Budget Development Terms



It Takes a Team!



Roles & Responsibilities



County Revenue Categories

Property Tax Levies



- Current Expense Levy
- Justice Levy
- District Court Levy
- Revaluation Levy
- Road & Bridge Levy
- Judgements
- Etc.

Intergovernmental



- Sales Tax Rev Share
- Liquor Funds
- Highway Funds
- Liquor Fund
- PILT
- SRS
- Etc.

Fees and Fines



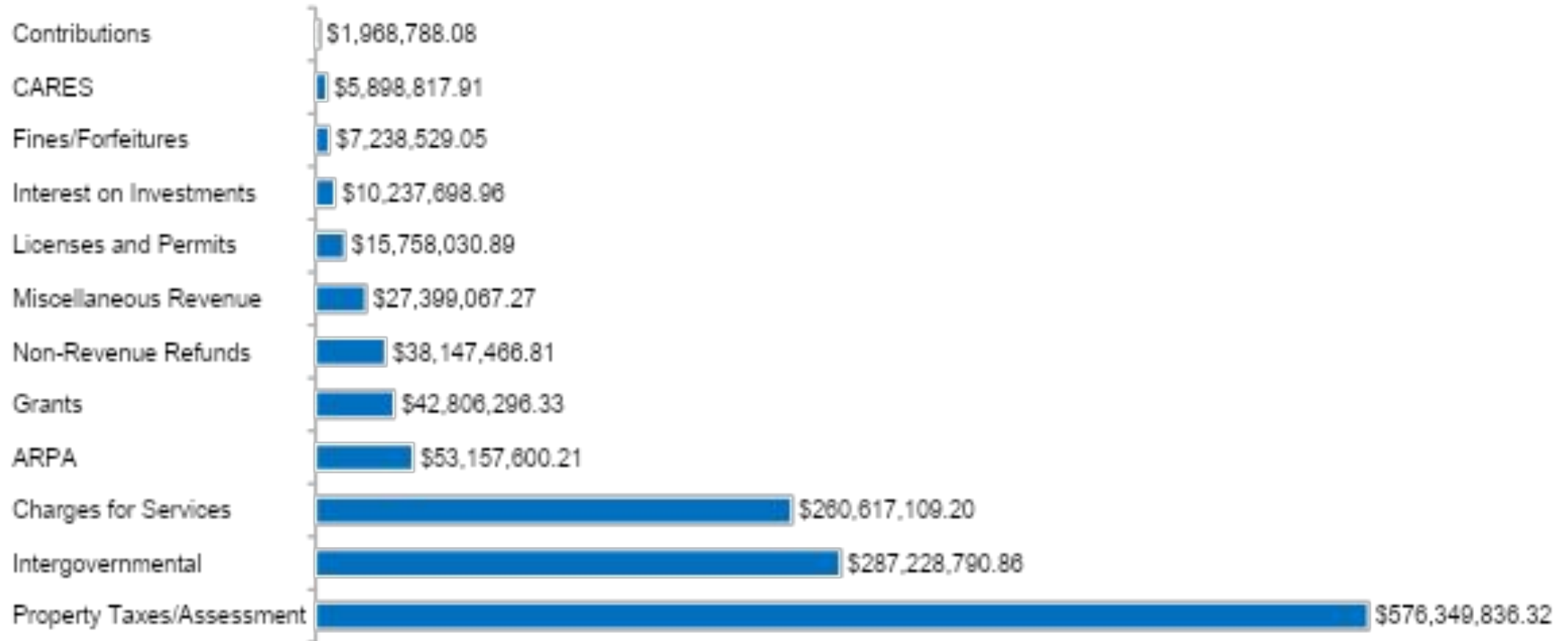
- District Court Fees
- DMV Fees
- Recording Fees
- Solid Waste Fees
- P&Z/Building Fees
- Mapping Fees
- Etc.

Fund Balance



- Reserves (cash basis)
- One time savings
- Unassigned
- Dedicated
- Etc.

County Revenues, 2022



General vs Dedicated Revenues

General Revenues

- Non restricted funds that can be used for any general purpose
- Examples:
 - Sales Tax Revenue Sharing
 - PILT
 - Wind and Solar Tax

Dedicated Revenues

- Restricted funds that can only be used for specific purposes
- Examples
 - Highway User Revenue
 - District Court Fees
 - Enterprise Fees
 - Secure Rural Schools

Property Taxes

- Budget Caps
 - Base property tax budget cannot increase by more than 3% + new construction
 - Base property tax budget increase + new construction cannot exceed 8%
 - Exception for new construction due to termination of urban renewal district
 - Base property tax budget may increase by another 1% if forgone property tax is available
 - A one-time property tax budget of 3% for capital projects if forgone property tax is available (not included in base property tax budget)
- Levy Caps
 - Each levied fund has a statutory limit
 - A taxing district may not levy above statutory levy caps

Property Tax Budget Calculation

$$\begin{aligned} & \text{Base Property Tax Budget} \times 1.03 \\ & + \text{New Construction Mkt Val} \times \text{Prior Year Levy Rate} \\ & + \underline{\text{Previously Forgone Property Taxes}} \\ & \text{Maximum Property Tax Budget} \end{aligned}$$

- Reminder #1: Base budget + 3% plus new construction \leq 8%
- Reminder #2: Budgeted forgone to base budget cannot exceed 1% of base property tax budget, included in future base budgets
- Reminder #3: May budget 3% forgone for one time capital projects, does not go to base

Fees for Services

- Statutory Fees
 - Set by Idaho Code
 - Court fees
 - Driver license fees
 - Recording fees
- County Fees
 - Set by BOCC
 - Must be related to and not exceed actual cost of providing service (Idaho Code §31-870)
 - Solid waste fees
 - Vehicle registration and title fees
 - P&Z, building, development fees

Intergovernmental Revenues

- Example of federal intergovernmental revenues:
 - PILT – county only, general use
 - SRS – county, highway district, and school district, dedicated use
- Examples of state intergovernmental revenues:
 - Sales Tax
 - Revenue sharing – general use
 - Property tax replacement – general use
 - Election fund – dedicated use
 - Liquor Fund – 50/50 general/dedicated use
 - Highway User Revenue – dedicated use

The L-2 Worksheet

Calculation of maximum allowed non-exempt property tax budget

Allowable Base Budget Calculation:			
Highest Non-Exempt P-Tax Budget + P-Tax Replacement (from the 'Maximum Budget & Forgone Amounts Worksheet')	(1)	\$	30,002,223
Selected Base Budget Growth (up to 3% of line 1)	(2)	\$	900,067
New Construction, Annexation, & Expiring Urban Renewal Allowable Budget Increases Calculation:			
2023 Value of District's Operating Property from Each Applicable County:		Value	
TwinFalls	(3a)	\$	239,460,403
	(3b)		
	(3c)		
	(3d)		
Total 2023 Operating Property Value (total of lines 3a thru 3d):	(3)	\$	239,460,403
2024 District's Net Taxable Value & Estimated Sub-roll from Each Applicable County:		Value	
TwinFalls	(4a)	#####	
	(4b)	\$	-
	(4c)	\$	-
	(4d)	\$	-
Total 2024 Net Taxable Value & Estimated Sub-roll (total of lines 4a thru 4d):	(4)	#####	
Preliminary Levy Rate for New Construction:			
2024 New Construction Preliminary Levy Rate ((line 1 + line 2)/(line 3 + line 4))	(5)		0.002732150
2024 Value of District's New Construction Roll from Each Applicable County:		Value	
TwinFalls	(6a)	\$	220,901,346
	(6b)	\$	-
	(6c)	\$	-
	(6d)	\$	-
Total New Construction Roll (NOT including expiring Urban Renewal) (total of lines 6a thru 6d)	(6)	\$	220,901,346
New Construction Roll Allowable Budget Increase (multiply line 5 by line 6)	(7)	\$	603,536
2024 Value of District's Annexed Property:			
2024 Full Taxable Value of Annexation from Property Assessed by County	(8)	\$	-
90% of Annexation Value Assessed by County	(9)	\$	-
Estimated Value of Annexed Operating Property (line 8 divided by line 4, then multiplied by line 3)	(10)	\$	-
2024 annexation preliminary levy rate ((line 1 + line 2)/(line 3 + line 4 + line 10))	(11)		0.002732150
Annexation allowable budget increase (multiply line 9 by line 11)	(12)	\$	-
2024 Expiring Urban Renewal:			
Total expiring Urban Renewal value	(13)	\$	-
80% of expiring Urban Renewal value	(14)	\$	-
Expiring Urban Renewal budget increase (line 5 multiplied by line 14)	(15)	\$	-
Total Non-Exempt Allowable Budget (before P-Tax Replacement and other deductions):			
Total uncapped budget growth potential (Add lines 1+2+7+12+15)	(16)	\$	31,505,826
Total capped growth (max 8%) (line 1 X 1.08 + line 15)	(17)	\$	32,402,401
Total non-exempt budget allowed (lesser of lines 16 and 17)	(18)	\$	31,505,826
Property Tax Replacements:			
Yearly amount of the agricultural equipment replacement money	(19)	\$	263,998
Yearly amount of the 2013 personal property replacement money	(20)	\$	246,075
Yearly amount of the 2022 personal property replacement money	(21)	\$	64,485
Additional revenues to be subtracted from levying authority:			
Recovered Homeowner's Exemption property tax	(22)	\$	-
Other reductions reported in columns 3 and 4 of the Recovered/Recaptured Property Tax list	(23)	\$	-
Total of lines 19 thru 23	(24)	\$	574,558
Solar Farm Tax:			
Solar Farm Tax received in the prior year (7/1/22 - 6/30/23)	(25)	\$	1,332
Solar Farm Tax received in the current year (7/1/23 - 6/30/24)	(26)	\$	-
Fire District Annexation (Cities Only):			
Not Applicable	(27)	\$	-
Forgone Amounts Section:			
Total forgone amount reported on the 'Maximum Budget and Forgone Amount Worksheet'	(28)	\$	-
Forgone amount to be recovered in your budget for Maintenance & Operations (up to 1% of line 18).	(29)	\$	-
Forgone amount to be recovered in your budget for Capital Projects (up to 3% of line 18).	(30)	\$	-
Total forgone amount to be recovered in your budget (sum of lines 29 & 30; can't exceed what is reported on the attached)	(31)	\$	-
Tort Fund Less Property Tax Replacement (Schools Only):			
Not Applicable	(32)		
Not Applicable	(33)		
Maximum Allowable Non-Exempt Property Tax That Can Be Levied (Including Forgone Amount):			
Maximum non-exempt property tax budget including forgone amount (lines 18-24+25-26-27+31)	(34)	\$	30,932,600



Understanding the L-2 Form

Approved Budget

Budgeted Funds

2018 Dollar Certification of Budget Request to Board of County Commissioners L-2" County Only (the L-2 worksheet and applicable "Voter Approved Fund Tracker" must be attached)					
District or Funding Unit Name: Fremont County					
Fund	Total Approved Budget*	Cash Forward Balance	Other revenue <i>NOT</i> shown in Column 5	Property Tax Replacement From Line 16 of L-2 Worksheet	Balance to be levied Col. 2 minus (Cols. 3+4+ 5)
1	2	3	4	5	6
Current Expense	4,347,360	1,131,122	2,003,881	159,226	1,053,131
District Court	1,237,169	213,637	318,125		705,407
Fair	95,903	16,398	13,424		66,081
Justice	5,029,028	788,971	1,571,718		2,668,339
Heath District	85,000	1,079	3,602		80,319
Indigent	454,510	255,067	72,637		126,806
Park & Recreation	337,422	46,509	129,073		161,840
Revaluation	507,593	43,699	17,133		446,761
Tort	265,000	19,697	10,051		235,252
Veterans Memorial	9,000	113	402		8,485
Weeds	620,960	12,170	223,919		384,871
Other Funds	18,908,781	10,938,109	7,970,672		-
I.C. §40-801(1)(a)	5,423,211	1,004,825	2,537,371		1,881,015
A proportionate share of the property tax portion of this fund is shared with each city within your district.					
I.C. §40-801(1)(b)	1,987,350	1,140,754	101,800	/	744,796
This fund is not shared with the cities within your district.					
Column Total:	39,308,287	15,612,150	14,973,808	159,226	8,563,103
If the budget includes any forgone amount, complete this section:					
I, the undersigned, attest that this district held a public hearing and approved the attached resolution that indicates that up to \$ _____ of available forgone increase is authorized to be levied and the specific purpose for which this amount is being budgeted. This amount can not exceed the lesser of the amount shown in the resolution or line 19 of the L-2 worksheet.					
I certify that the amounts shown above accurately reflect the budget being certified in accordance with the provisions of I.C. §63-803.					
To the best of my knowledge, this district has established and adopted this budget in accordance with all provisions of Idaho Law.					
SOF		Chairman		September 4-2018	
Signature of District Representative		Title:		Date:	
Abbie Mace, Fremont County Clerk, 151 W 1st N, St. Anthony, ID 83445					
Please print above: Contact Name and Mailing Address			Email Address:	amace@co.fremont.id.us	
Phone Number:		(208) 624-7332		Fax Number: (208) 624-1543	

Revenue Categories

Approved Budget

— *Cash Reserves*

— *Other Revenues*

— *Property Tax Replacement*

= *Amount to be Levied*



* = Do not include revenue allocated to urban renewal agencies.

Examples of County Budget Funds

- General or Current Expense
- Airport
- Ambulance
- Ad Valorem (Revaluation)
- Justice
- Ignition Interlock
- District Court
- Election Consolidation
- Fairgrounds and Buildings
- Health District
- Historical Society
- Non Medical Charity
- Trusts
- Drug Court
- Road & Bridge
- Community College
- Parks & Recreation
- Pest Control
- Snowmobile
- Solid Waste
- Tort
- Veterans' Memorial
- Waterways
- Noxious Weed
- 911 Emergency Communications
- EMS
- Enterprise Funds

County Expense Categories

"A" Budget



- I.C. §31-1604(1)
- CEO Salaries
- Employee Salaries
- May Include Benefits

"B" Budget



- I.C. §31-1604(1)
- Operating Expenses
- Supplies
- Equipment
- Travel
- Training, Events, Etc.
- May Include Benefits
- May Include Capital

"C" Budget



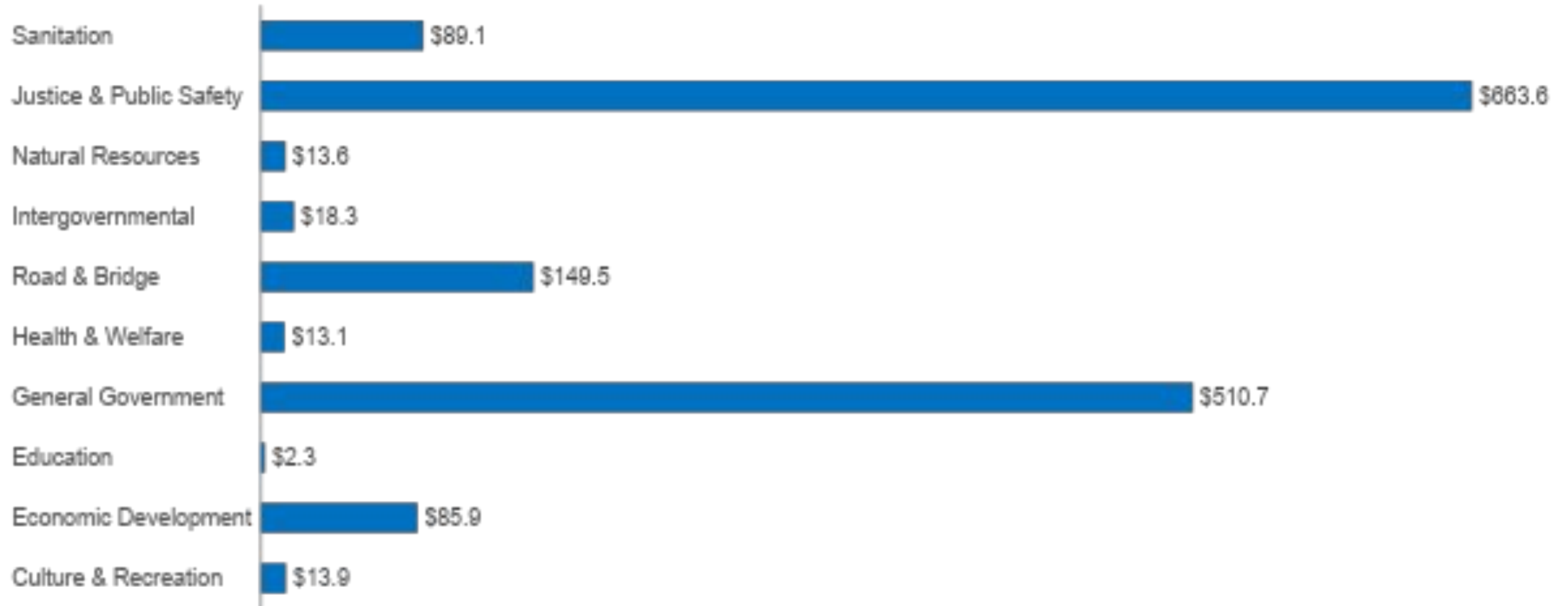
- Optional Category
- Capital Expenses
- Facility Upgrades
- Long Term Leases
- Design Costs
- Construction Costs

"D" Budget



- Optional Category
- Benefit Expenses
- Payroll Taxes
- Retirement
- Health Insurance
- Workers Comp
- Unemployment

County Expenditures (2022)



Elected Official Salaries

- What is in the budget is “full compensation” for their service
- No bonuses and no reductions
- Evaluate current needs: does compensation match current responsibilities?
- IAC Annual Salary Survey: <https://idcounties.org/iac-salary-survey/>
- Idaho Code §32-3101, §31-3106, and §31-816

Budgeted Reserves and Emergencies

- BOCC may make general reserve appropriations, not to exceed 5% of the Current Expense and Justice Fund Budget (Idaho Code §31-1605 and §63-805)
- Emergency expenditures may be made by unanimous resolution of the BOCC (Idaho Code § 31-1608)
 - May use any and all funds in the county treasury
 - May incur debt to address emergency
 - Funds must be paid back after the emergency

The Basics of Managing the Budget

#1

You have a fiduciary responsibility to safeguard public funds

#2

Expenditures cannot exceed revenues

#3

Budget amendments must be done in public and follow the law

#4

Appropriations are year-to-year

#5

You cannot transfer levied funds to another fund (I.C. §31-1508)

#6

Communicate, communicate, communicate

Reality Check

#1

Your department's/office's ability to spend is limited by the budget

#2

Budgets are subject to unforeseen obligations out of your control

#3

Property taxes cannot be increased mid budget year

#4

If it isn't in your budget, you can't spend it (unanticipated revenue)

#5

Just because it is in your budget doesn't mean you can spend it

#6

Cooperation among county officials is essential

Claims Against the County

- BOCC to examine, settle, and allow legal claims against the county (Idaho Code §31-809)
- Claims must be accompanied by receipt (Idaho Code §31-1501)
- Claims must be submitted within one year (Idaho Code §31-1501)
- BOCC approves checklist of allowed bills/claims (Idaho Code § 31-1502)
- Treasurer to only issue warrants (checks) for allowed bills/claims

Each and every county official or employee shall be limited in making expenditures or the incurring of liabilities to the respective amounts of such appropriations and is liable to county for excess expenditures (Idaho Code §31-1606, §31-1607).

Government Accounting: GASB

- What is GASB?
 - Government Accounting Standards Board establishes accounting reporting standards at the state and local level (Idaho Code §31-1509)
 - GASB's purpose is to assist governing bodies to evaluate their operation and provide the public with easier to read reports due to the standardization of reporting
 - Each department must keep track of all assets/inventory according to the county policy
 - Key component of annual audit



Annual Audits

- The county must have an annual audit performed by outside auditors (Idaho Code §31-1701)
- Annual audit must be performed by June 1st (Idaho Code §67-450B)
- Annual audit summary must be published within 30 days of completion (Idaho Code §31-819)
- Other possible audits by outside auditors:
 - Waterways/Snowmobile
 - Grants
 - PERSI
 - Workers Compensation



Local Government Transparency

- Central registry and reporting portal requirements for counties (Idaho Code §67-1076):
 - Due December 1st of each year
 - Administrative information (governing board, contact info, fiscal year, etc.)
 - Financial information (most recently adopted budget, unaudited comparison of budget to actual for prior fiscal year, date of last audit, most recent audit)
 - Local Transparent Idaho now has county budget and fund balance information (all local governments must go live by 2025)

<https://localtransparency.idaho.gov>:



Checks and Balances

- Role of the Board of County Commissioners
 - Idaho Code §31-809: Examine and audit accounts
 - Idaho Code §31-1701: Full and complete external audit
 - Idaho Code §31-810: Examine and settle allowable claims
- Role of the County Clerk/Auditor
 - Idaho Code §31-1602: Ensure budget compliance
 - Idaho Code §31-1611: Quarterly financial statements to BOCC
 - Idaho Code §31-1511: Jointly issue and sign warrants with the county treasurer
 - Idaho Code §31-2304: Keep accounts current with the county treasurer
- Role of the County Treasurer
 - Idaho Code §31-2113: Detailed report to BOCC
 - Idaho Code §31-2112: Monthly/annual settlement of accounts
 - Idaho Code §31-1511: Jointly issue and sign “warrants” (or checks) with the clerk/auditor

Fraud Risks

- Credit card use – monitor use and identify misuse of public funds (Idaho Code §18-5701, Idaho Code)
- Borrowing lunch money from a cash drawer
- Easy/unsupervised access to petty cash
- Pocketing cash as it comes in
- Accounts payable – watch for fake invoices or companies, double billing, etc.
- Separation of Duties

Fraud Prevention

- Make sure your county has adopted formal internal controls
- Make sure to comply with annual outside audit and other financial reporting requirements
- Follow recommendations of outside auditor
- Develop, adopt, and update county policies to prevent fraud (credit card policy, travel policy, county vehicle use policy, establish internal financial controls, etc.)

Intergovernmental Revenues

Seth Grigg

Executive Director

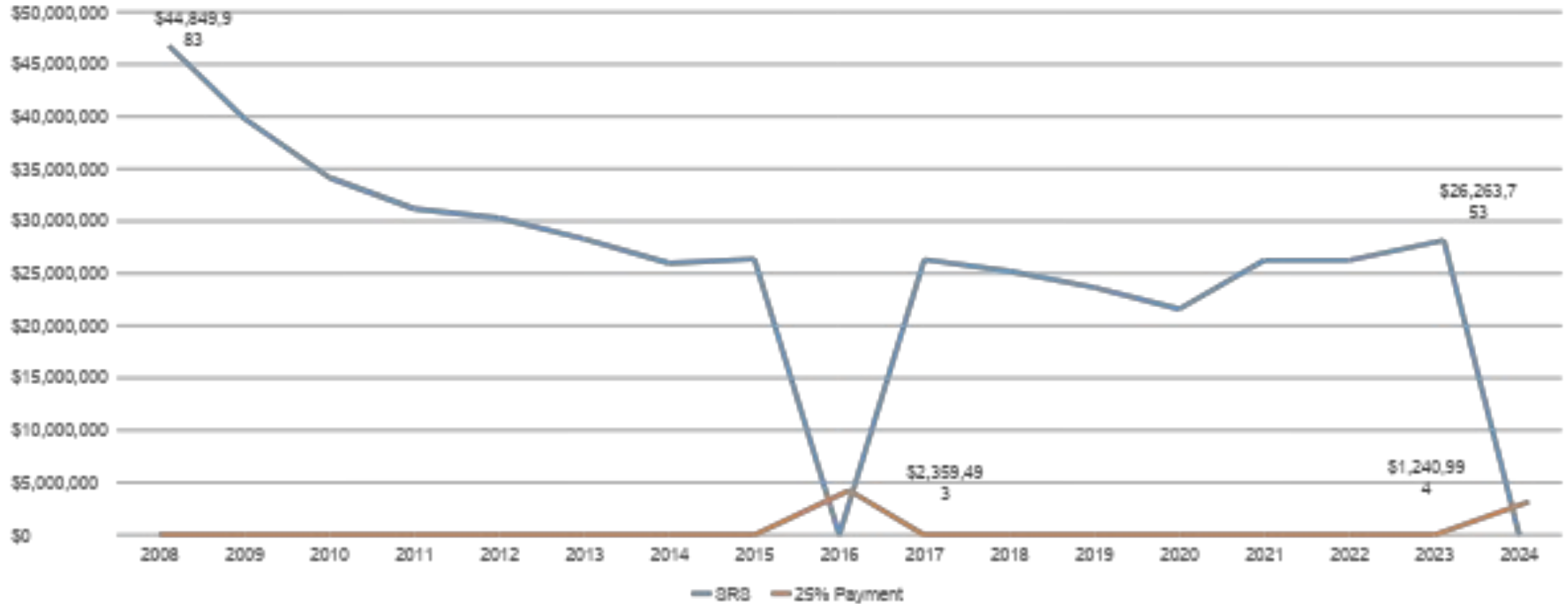
sgrigg@idcounties.org



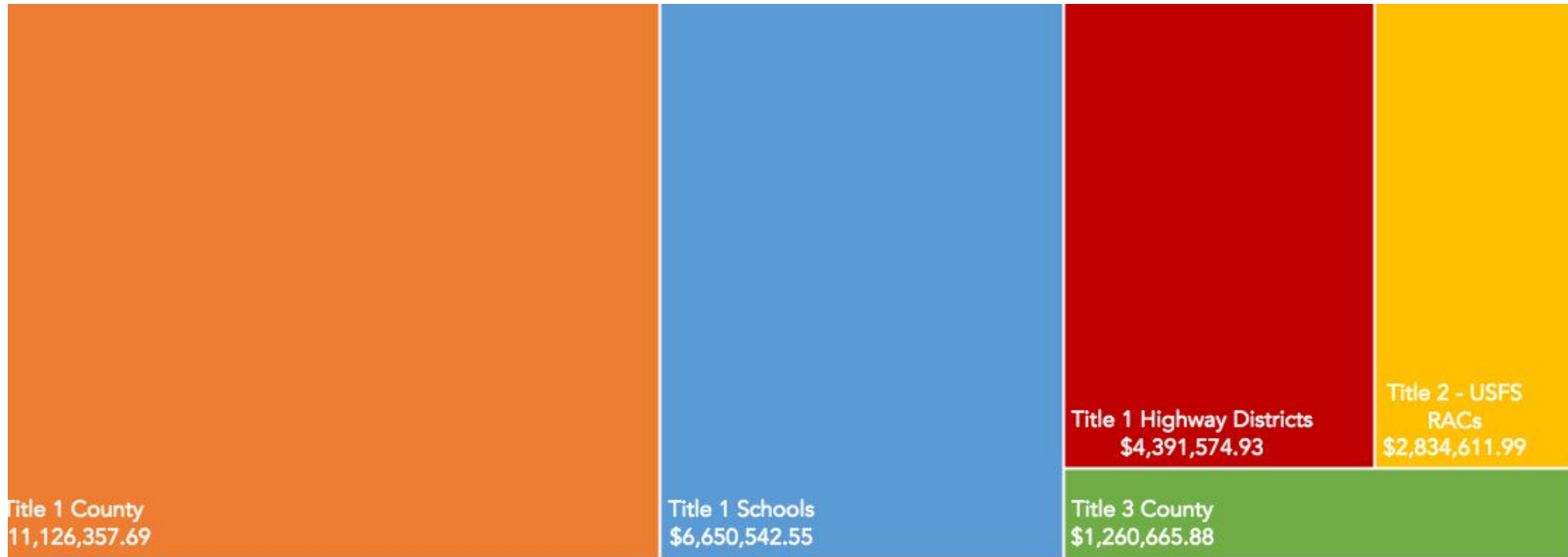
SRS

- Secure Rural School and Community Self Determination Act (reauthorized 2006, 2008, 2012, 2017, 2021)
- Funding authorization expired in 2023 (paid spring of 2024)
- Allowable Uses
 - Title 1:
 - 30% to school districts for maintenance and operation
 - 70% to counties and highway districts for road maintenance
 - Title 2: Forest service projects selects by regional RACs
 - Title 3: public safety services on federal land (including fire mitigation)

SRS Payments, 2008-2024



2023 SRS Allocation (Spring 2024)



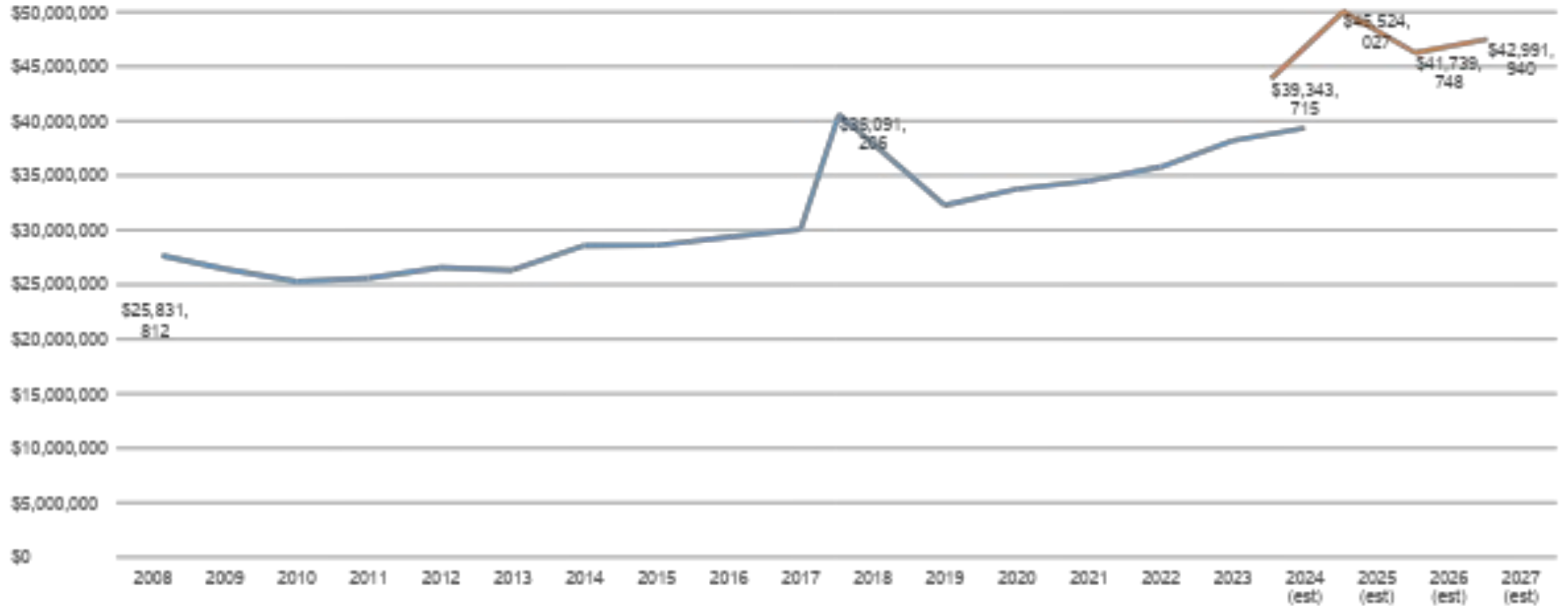
PILT

- Payment in Lieu of Taxes (established 1976)
- Provide compensation to counties for eligible tax exempt federal lands
- Can be used for any county purpose
- For more information on PILT: <https://www.doi.gov/pilt>

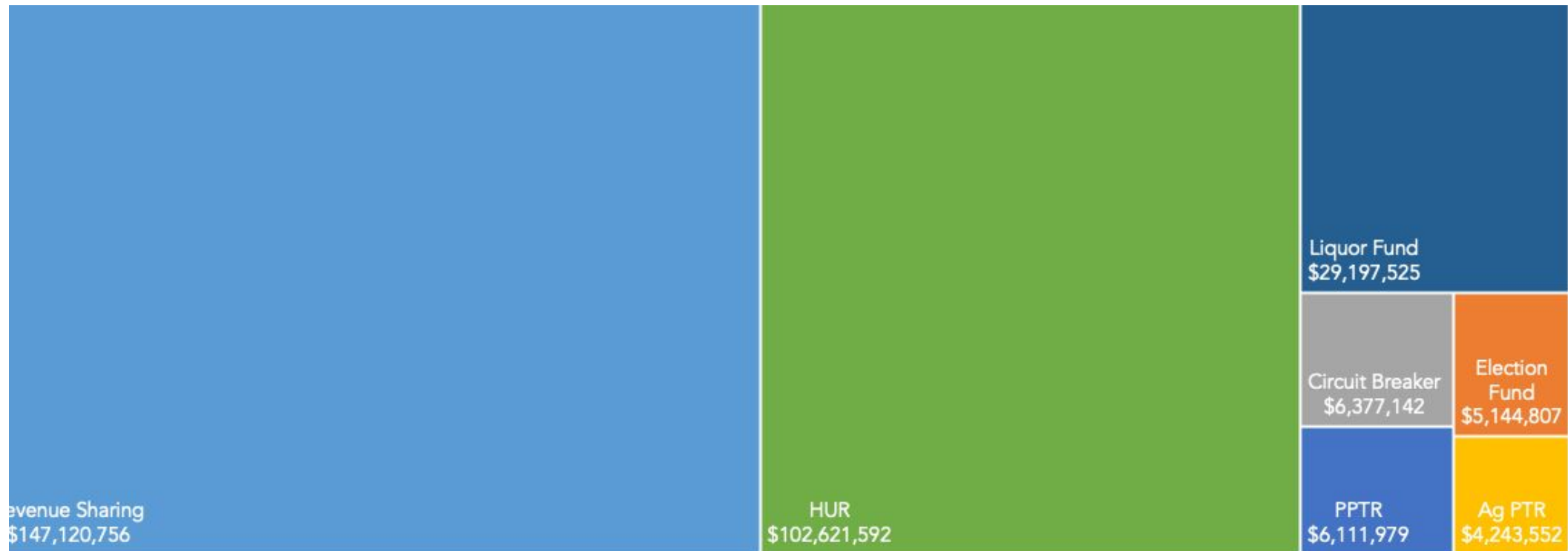
PILT Formula

- Alternative A
 - $PILT = (Total\ eligible\ federal\ acres \times \$2.94) - Prior\ year\ federal\ payments$
- Alternative B
 - $PILT = (Total\ eligible\ federal\ acres \times \$0.42)$
- Both methods subject to population based payment ceilings

PILT Payments, 2008-2027 (est.)



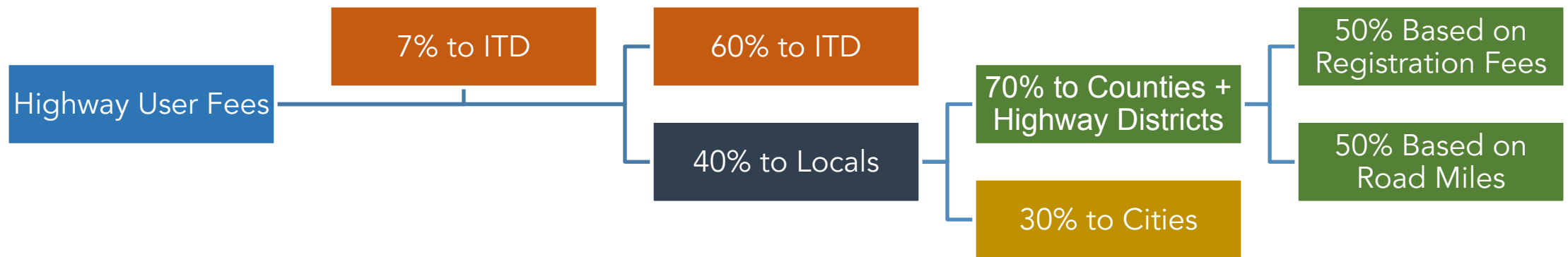
State Revenue Sharing to Counties (2022)



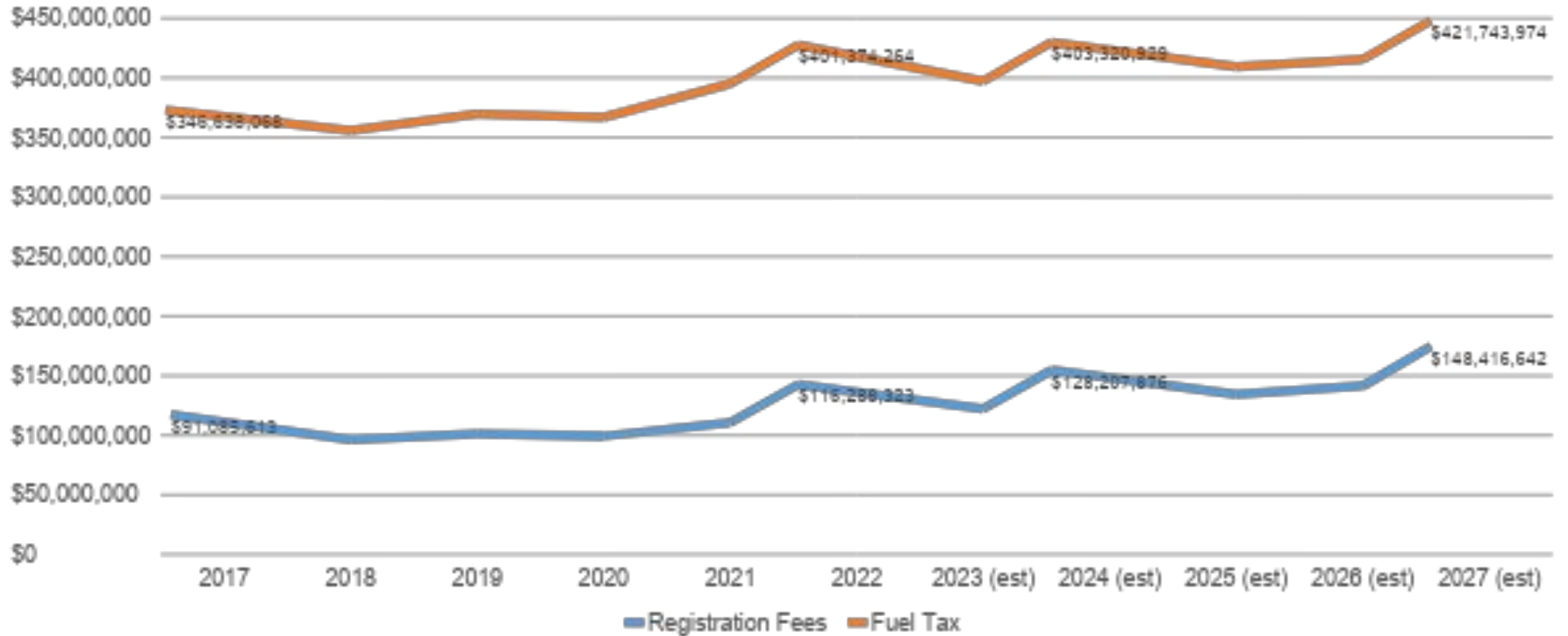
Local Highway Distribution Revenues

- Fuel tax
- Registration fees
- TECM
- State general funds
- Building Idaho Bridges
- Local strategic initiatives

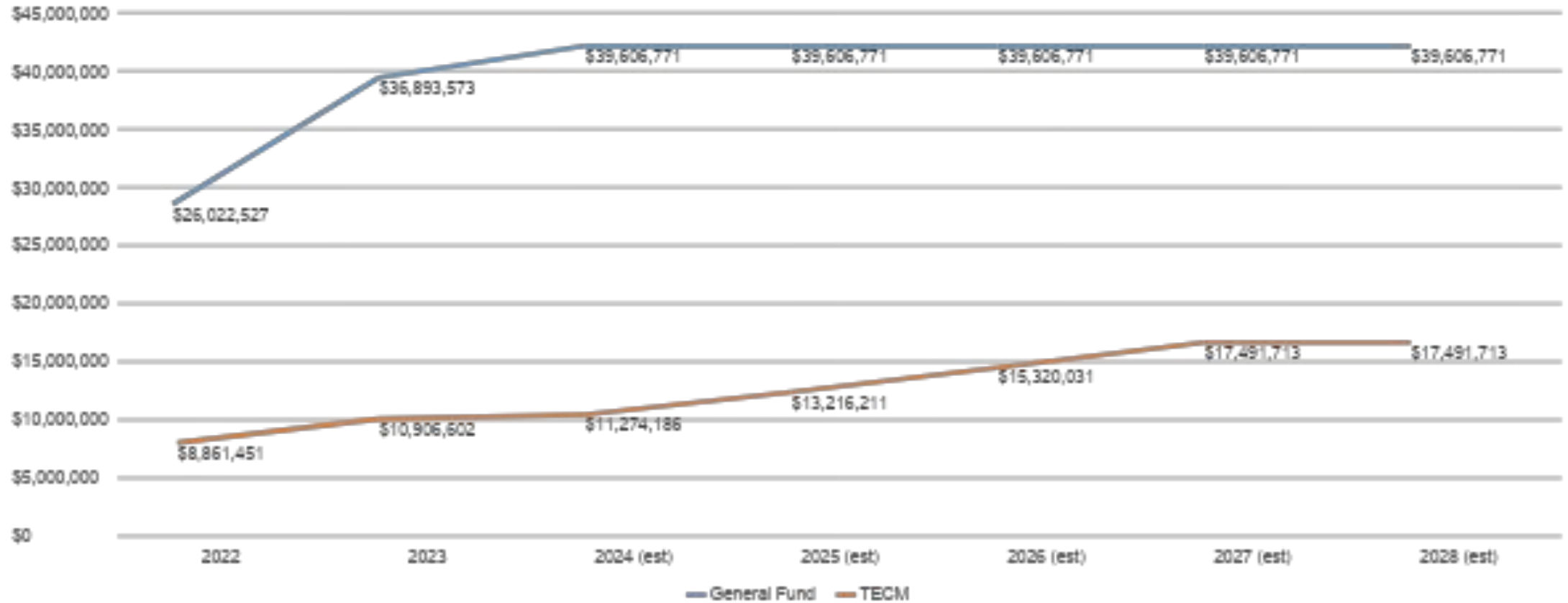
Highway Distribution Formula



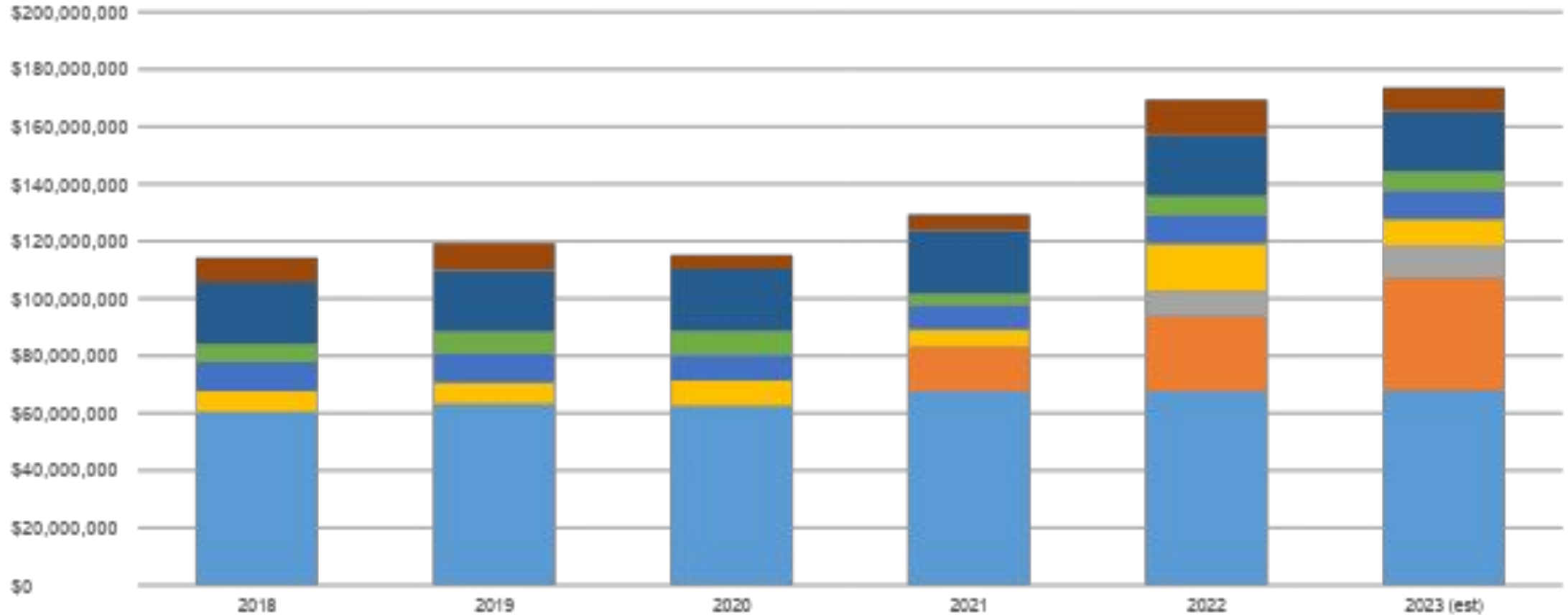
Highway User Revenue



General Fund and TECM Distributions



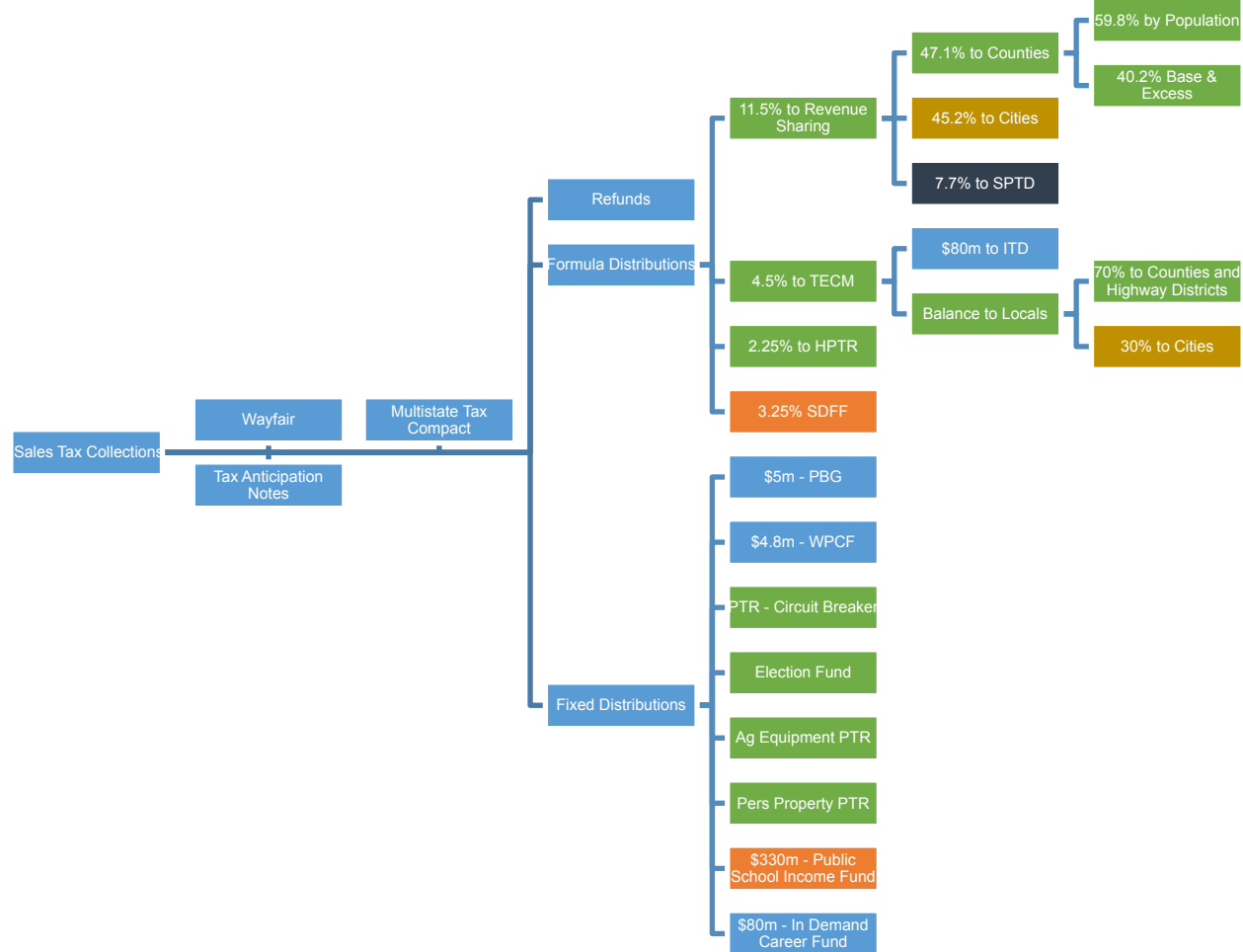
County Transportation Funding (all sources), 2018-2023 (est.)



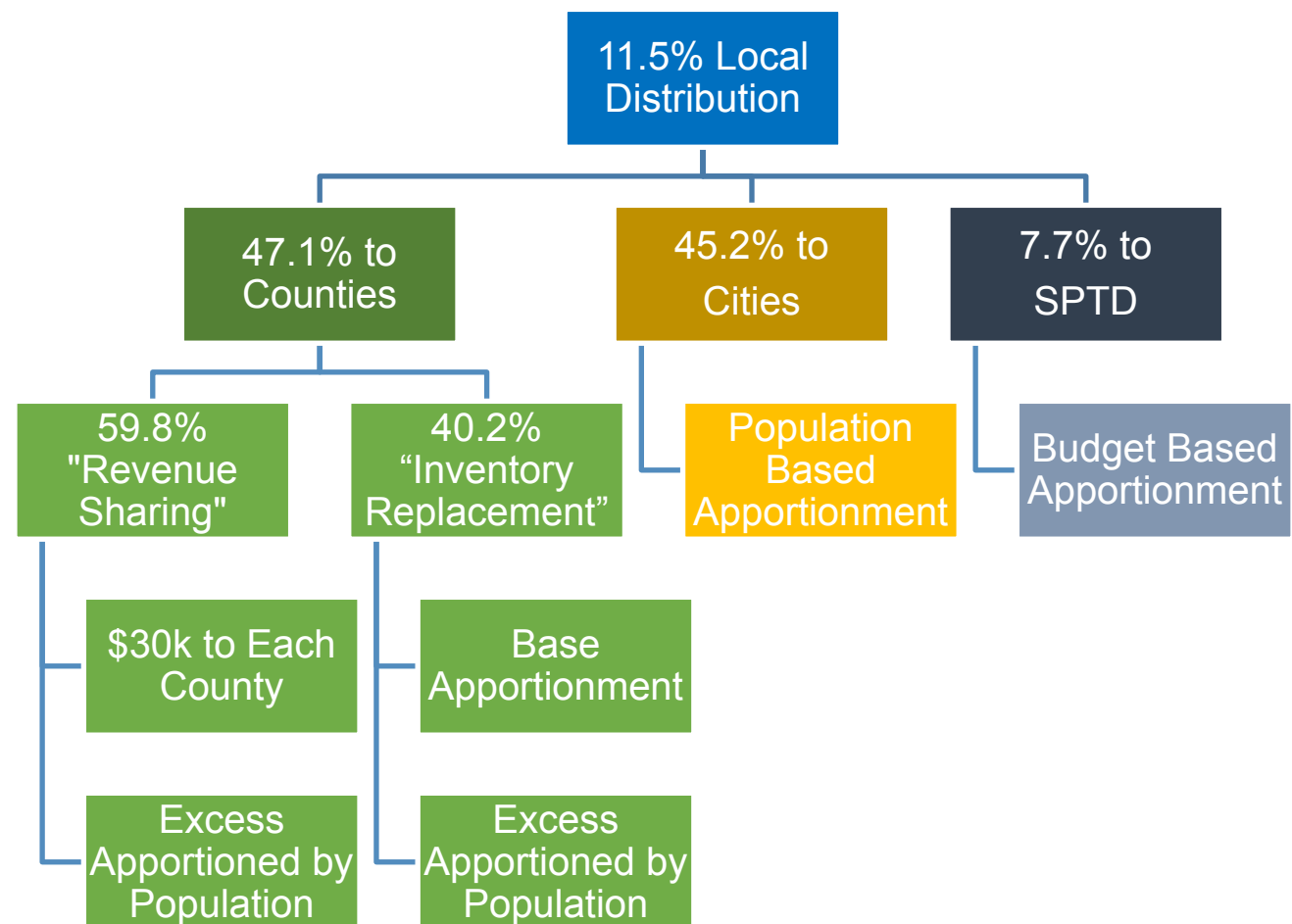
Sales Tax

- Revenue Sharing: 11.5% distribution to counties, cities, and SPTDs
- Election Fund: \$5.1 million to counties (indexed annually)
- Property Tax Replacement: \$31.5 million to locals
- PTR (circuit breaker): \$23.9 million to locals
- PTR (HPTR): TBD to non school taxing districts
- TECM: \$27.1 million to counties, cities, and highway districts

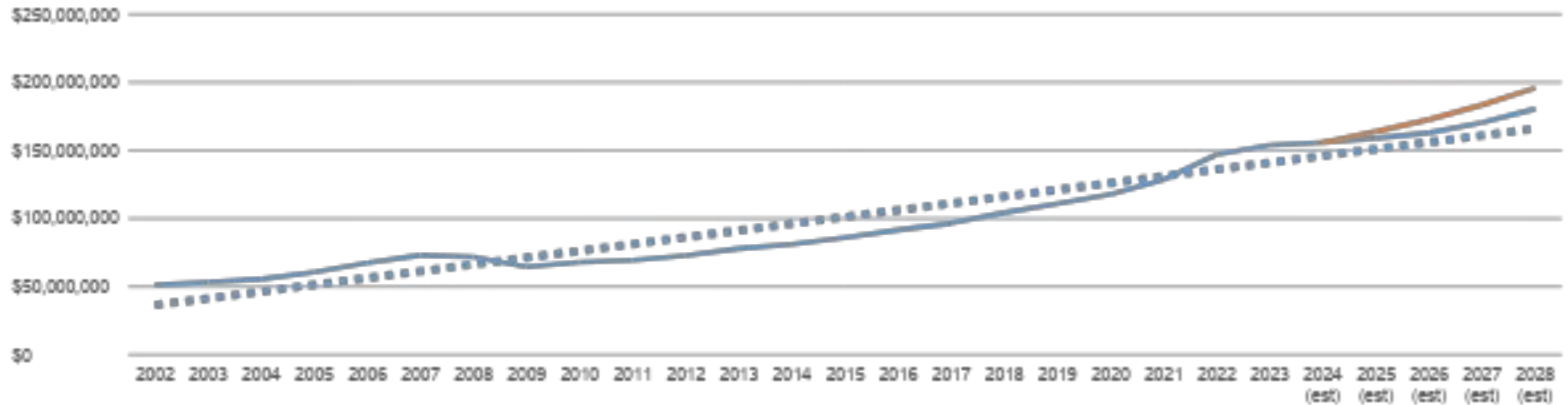
Sales Tax Distribution Priority



Revenue Sharing Formula



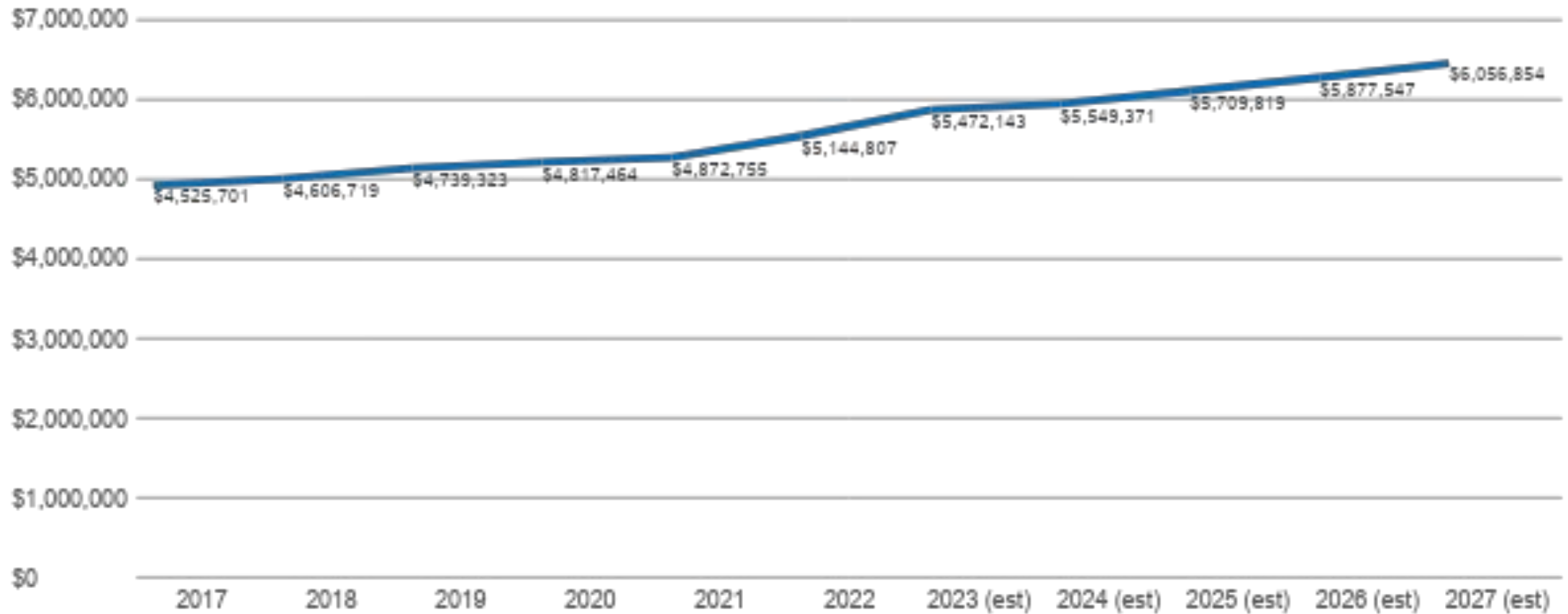
Sales Tax Revenue Sharing, 2001-2028 (est.)



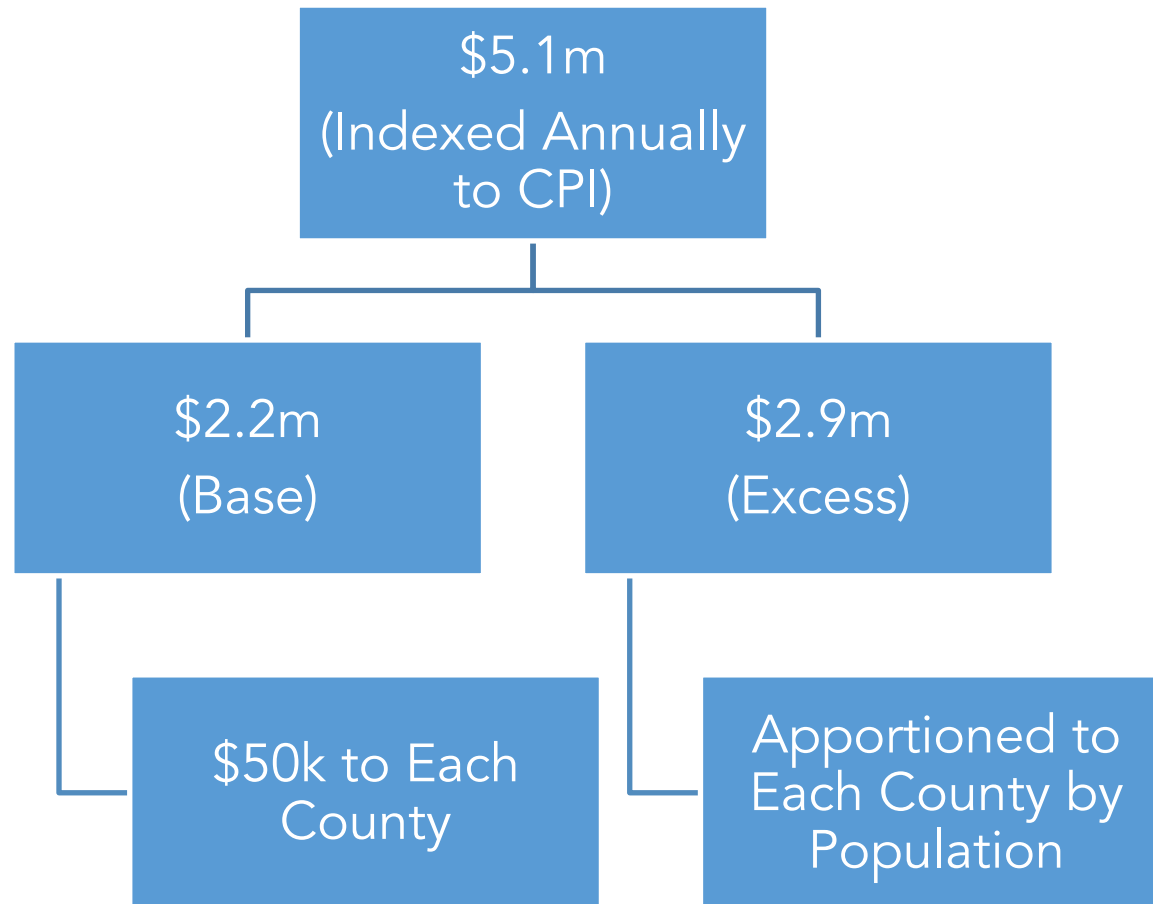
IAC Projected Revenue Sharing Growth

- SFY23: 4.6%
- SFY24: 1.2% (YTD: -0.2%)
- SFY25: 5.2% (DFM), 2.1% (IAC)
- SFY26: 5.35% (DFM), 2.5% (IAC)
- SFY27: 6.25% (DFM), 4.5% (IAC)
- SFY28: 6.7% (DFM), 6.0% (IAC)

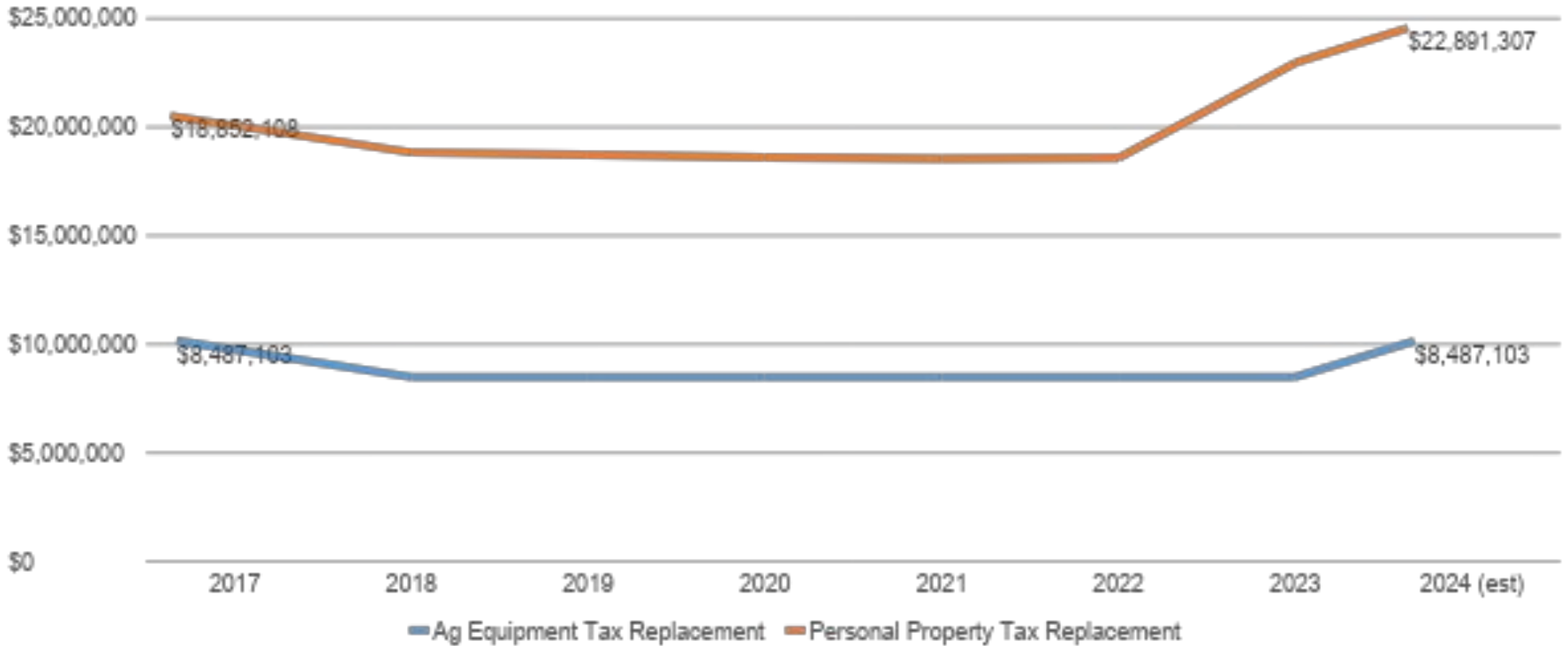
Election Fund



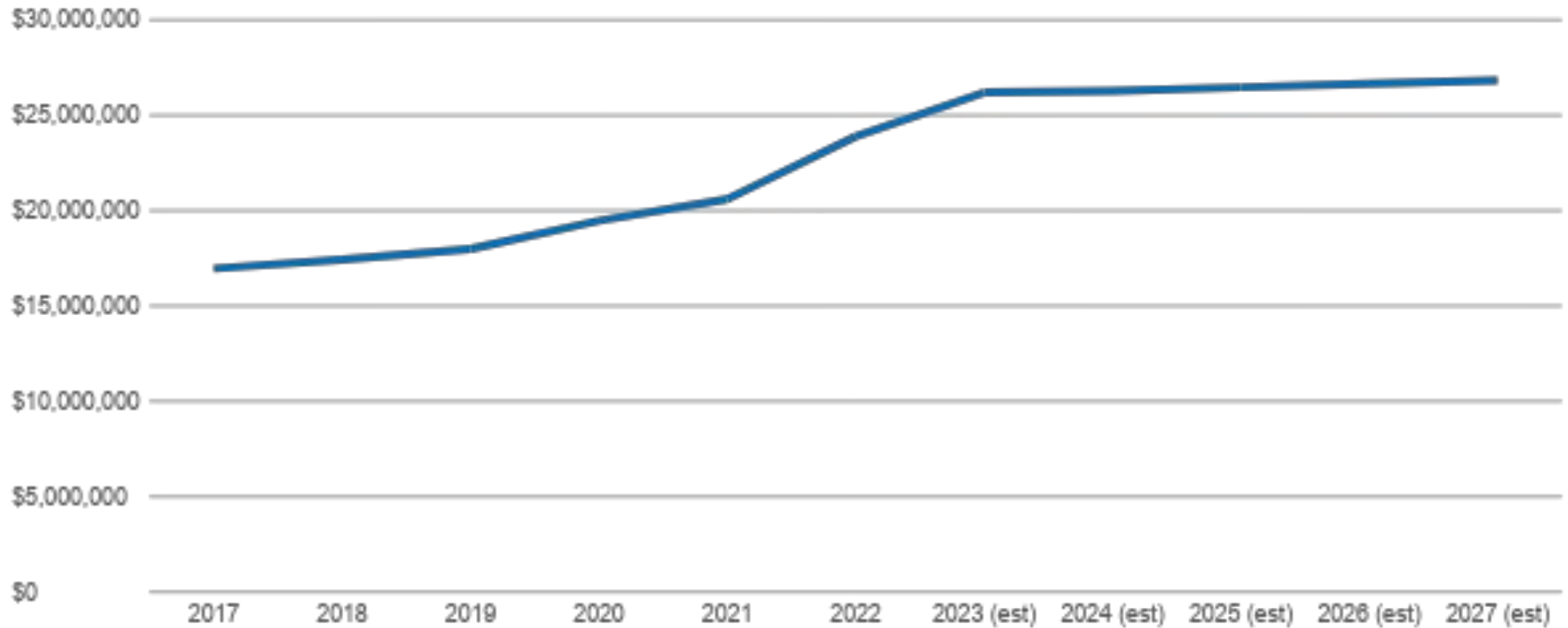
Election Fund Formula



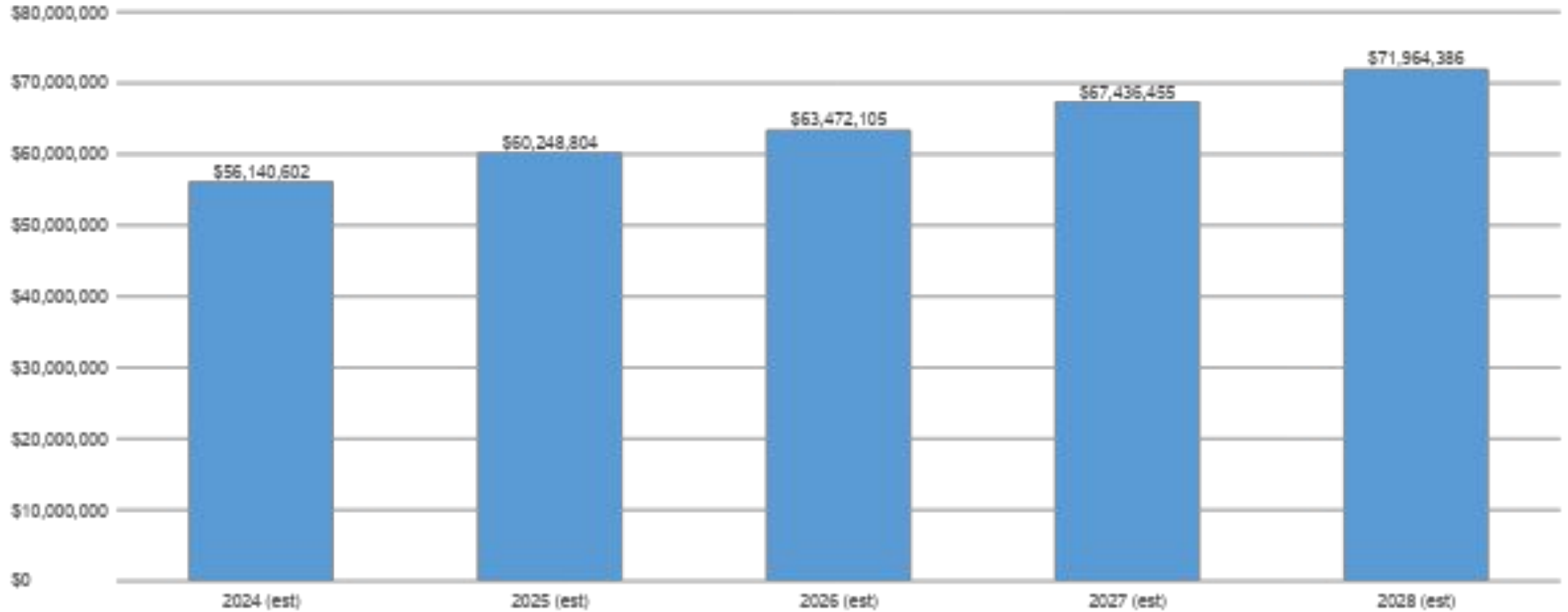
Property Tax Replacement



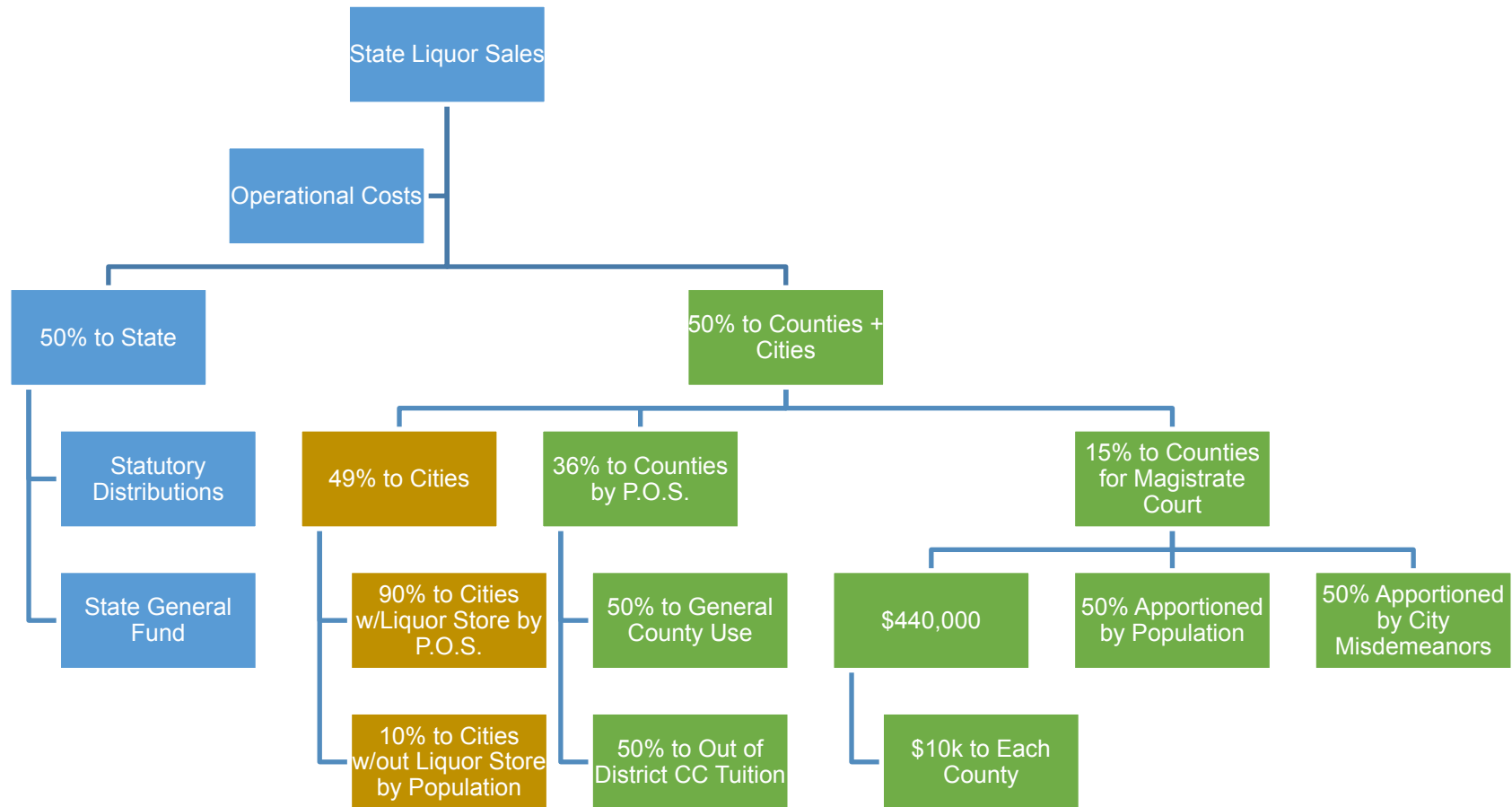
Circuit Breaker (PTR), 2017-2027 (est.)



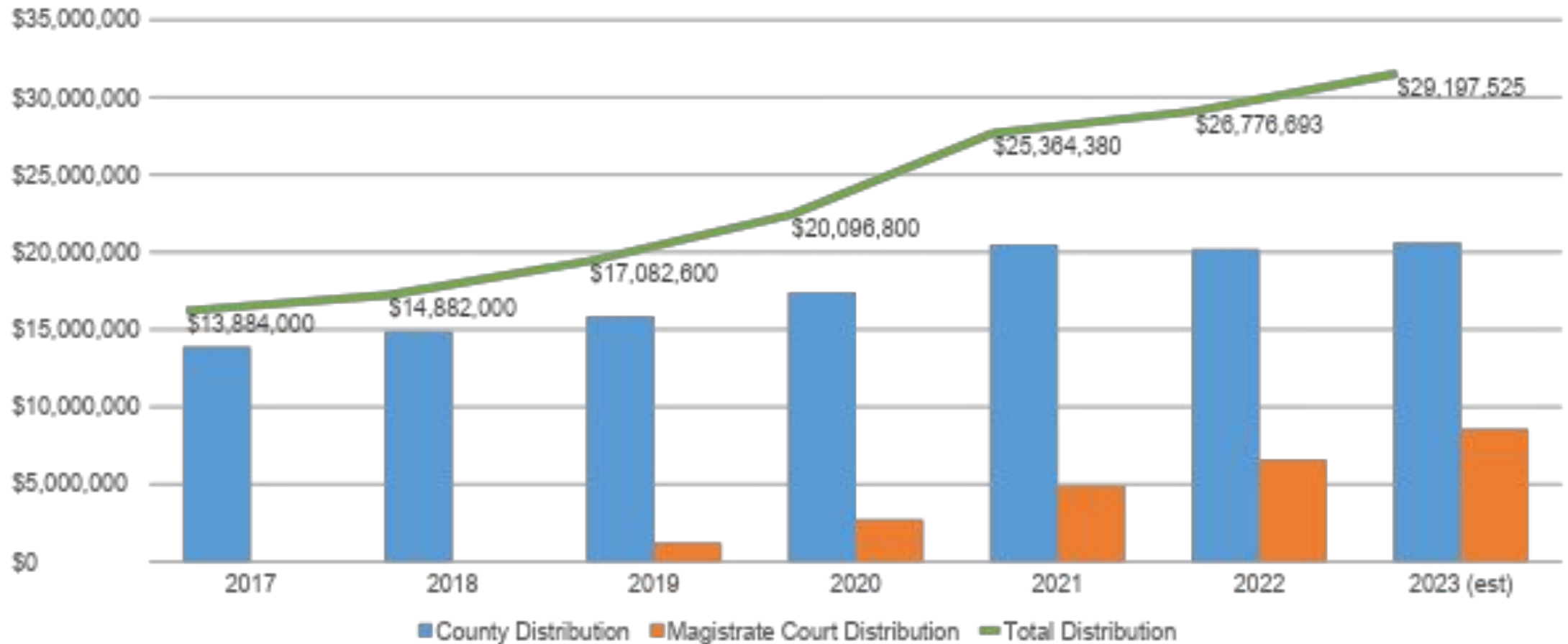
HTR



Liquor Fund Distribution Formula



Liquor Fund Distributions to Counties (2017-2023)



Liquor Fund Trends

- Consumers are buying less high end beverages
- Profit distributions have flattened
- Magistrate court distribution has fully phased in
- Expect only modest liquor fund increases
- Budget conservatively

Other State Revenue Distributions

- Cigarette & Tobacco Taxes
- State Lottery
- Fish & Game FILT
- Grants

Sources

United States Forest Service: <https://www.fs.usda.gov/working-with-us/secure-rural-schools>

Department of the Interior: <https://www.doi.gov/pilt>

Idaho Transportation Department: <https://itd.idaho.gov/funding/?target=advisory-boards>

State Controller: <https://localtransparency.idaho.gov/>

Idaho State Tax Commission: <https://tax.idaho.gov/governance/reports-and-statistics/>

Division of Financial Management: <https://dfm.idaho.gov/publication/economicpublications/>

Legislative Services Office: <https://legislature.idaho.gov/fiscal-dashboards/>

Special Topics in Advanced County Budgeting



Topics

- Impacts of Public Defense Transition on County Budgets
- Federal Land Payments: What to Expect in a Shifting Congressional Landscape
- Navigating Budget and Levy Caps
- Financial County Facilities

Public Defense Transition



Capital Crimes Defense Fund

- No assessments moving forward
- Proceeds left in the CCDF will be distributed to each county based on each county's pro rata share

Contract Public Defenders

- County contracts expire on September 30, 2024
- Contract public defenders will be required to enter into contracts with the state public defender effective October 1, 2024

Institutional Public Defenders

- Will transition to state employment effective October 1, 2024
- Counties required to pay out accrued PTO, vacation, and sick leave according to county personnel policies
- Employees may choose to transfer up to 40 hours of vacation time and 40 hours of sick time to the state (if available) at county expense
- Employees will accrue leave based on PERSI years of service

Facilities

- Institutional counties will continue to provide facilities for up to five years (2029) at county expense
- State must reimburse counties for office equipment, supplies, IT, etc.

Child Protection Cases

- State public defender responsible for CPS cases
- Counties responsible for initial guardian ad litem expenses, with state reimbursement to follow
- Counties responsible for guardian ad litem in divorce proceedings

Court Ordered Evaluations

- Counties will continue to pay for court ordered evaluations

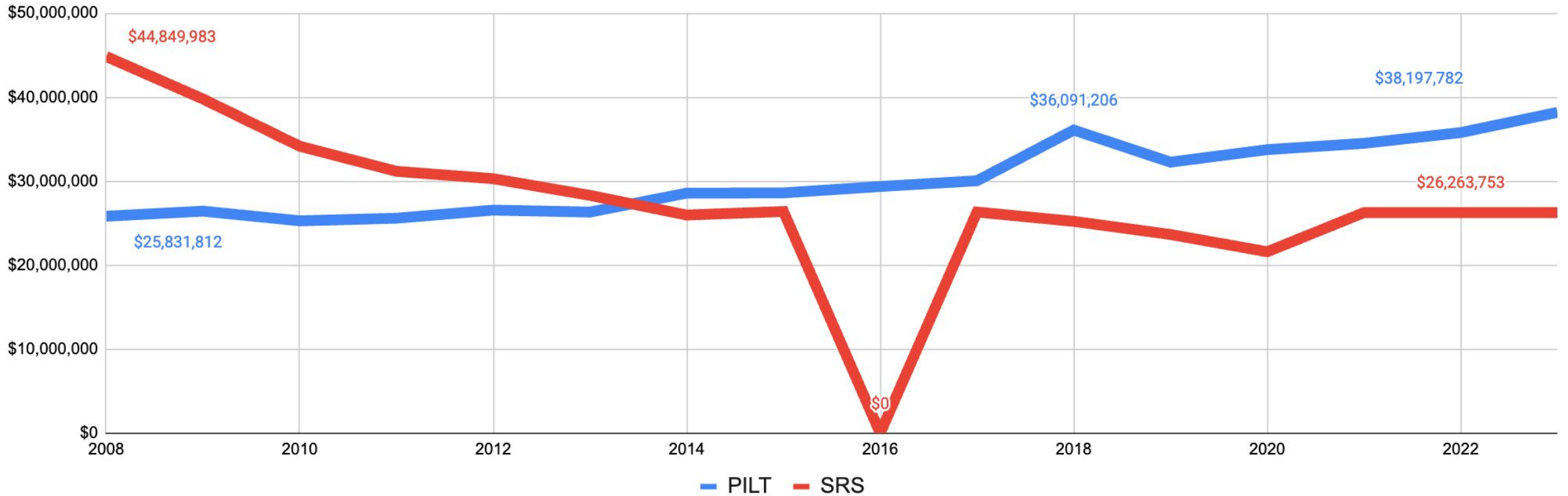
Carry Over Funds

- Some counties may have carryover public defense funds
- Funds may be used for:
 - Public defender office space/rent
 - Court ordered evaluations
 - Cash out of PTO, vacation, and sick leave

Federal Land Payments



PILT vs SRS, 2008-2023



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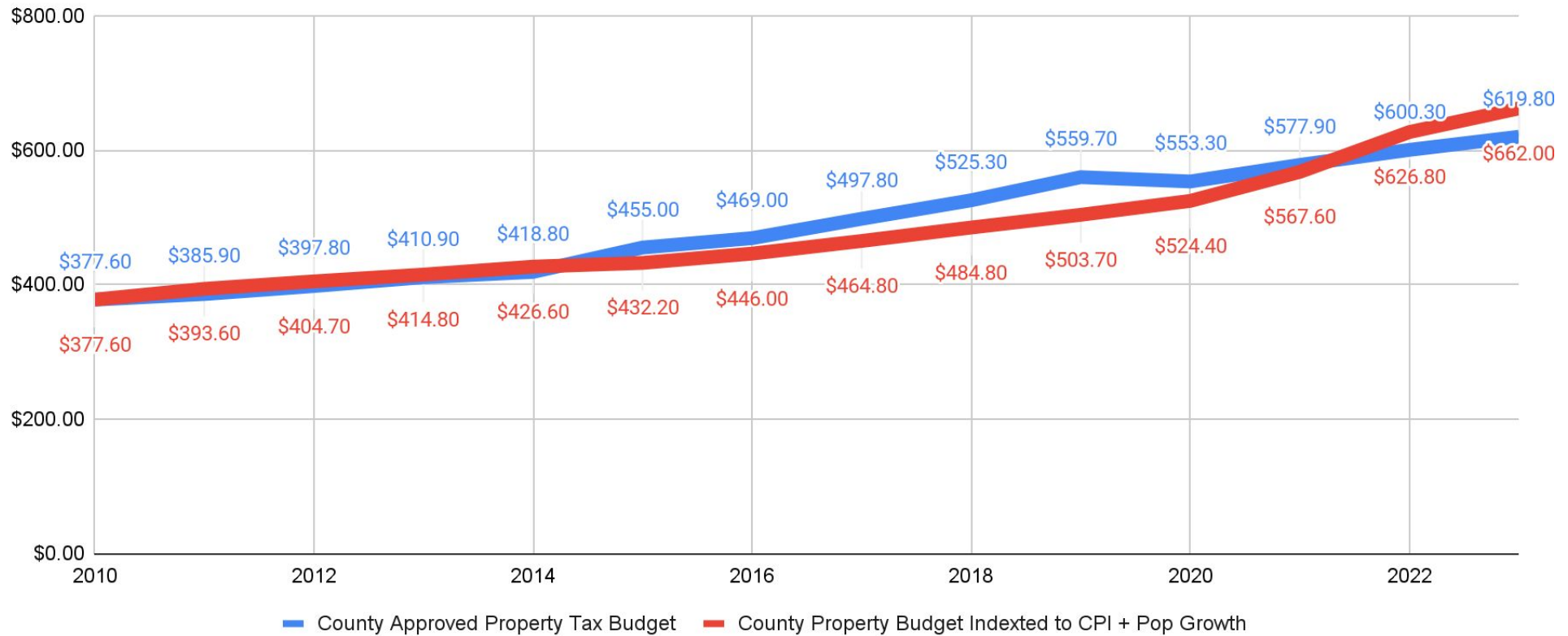
Navigating Budget & Levy Caps



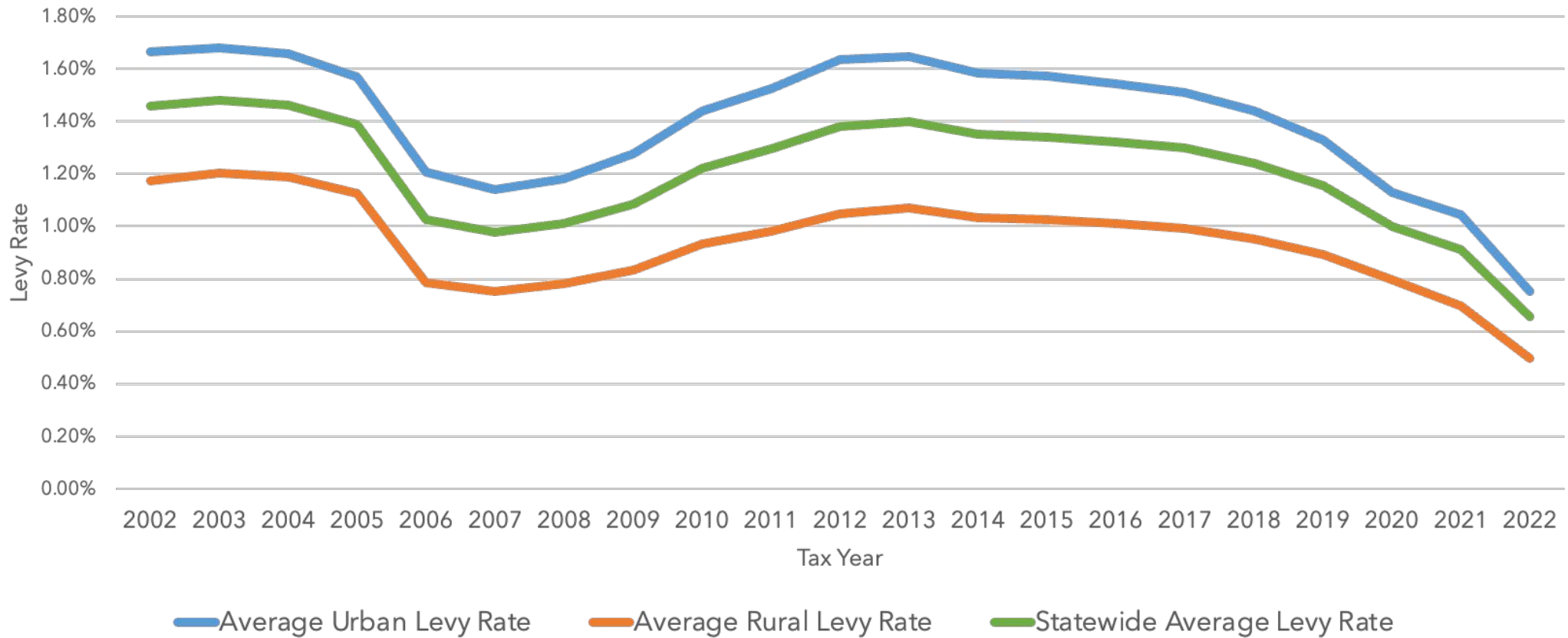
Property Tax Budget Caps

- Pre H0389
 - 3% base budget cap
 - No cap on new construction
 - No cap on budgeted forgone
- Post H0389
 - 3% base budget cap
 - 90% of new construction
 - Base budget increase + new construction \leq 8% of base budget
 - Budgeted forgone \leq 1% of base budget
-

Property Tax Budget Growth vs Inflation + Population Growth, 2010-2023



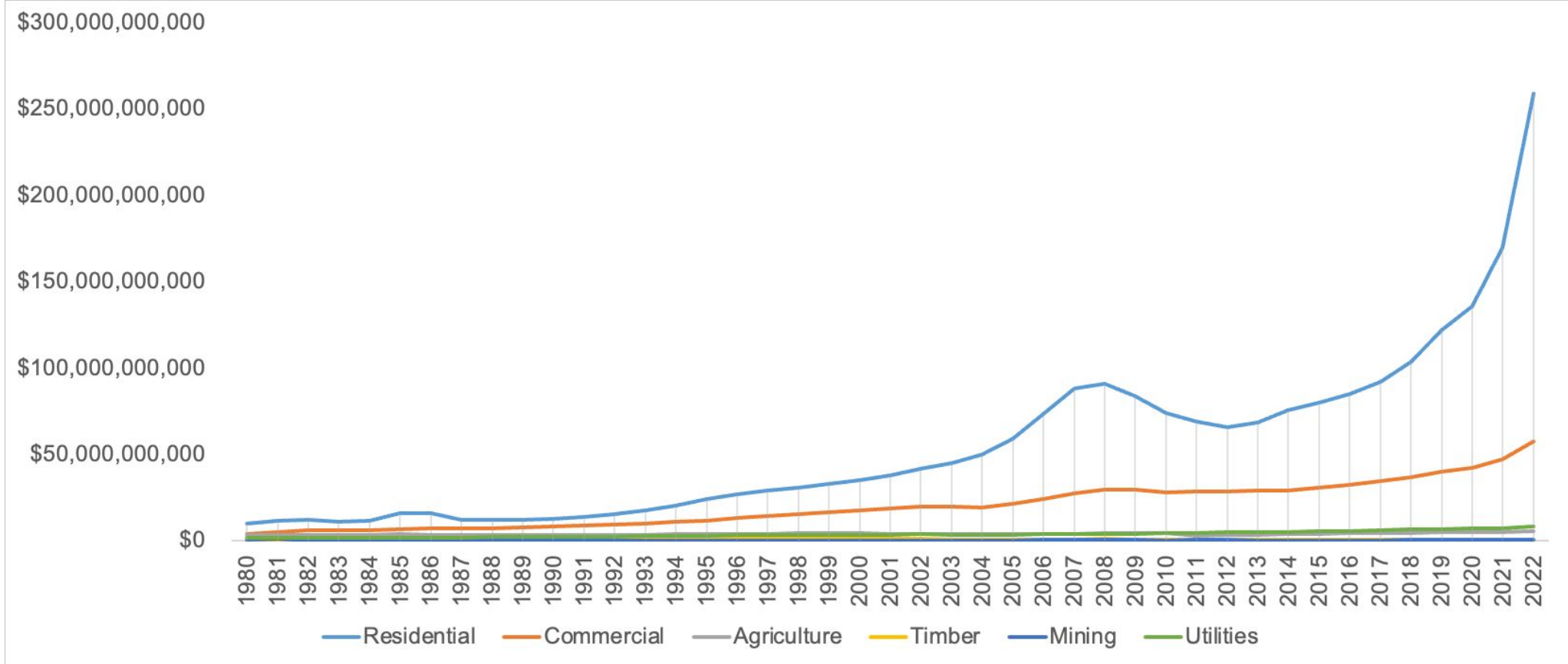
Historical Levy Rates, 2002-2022



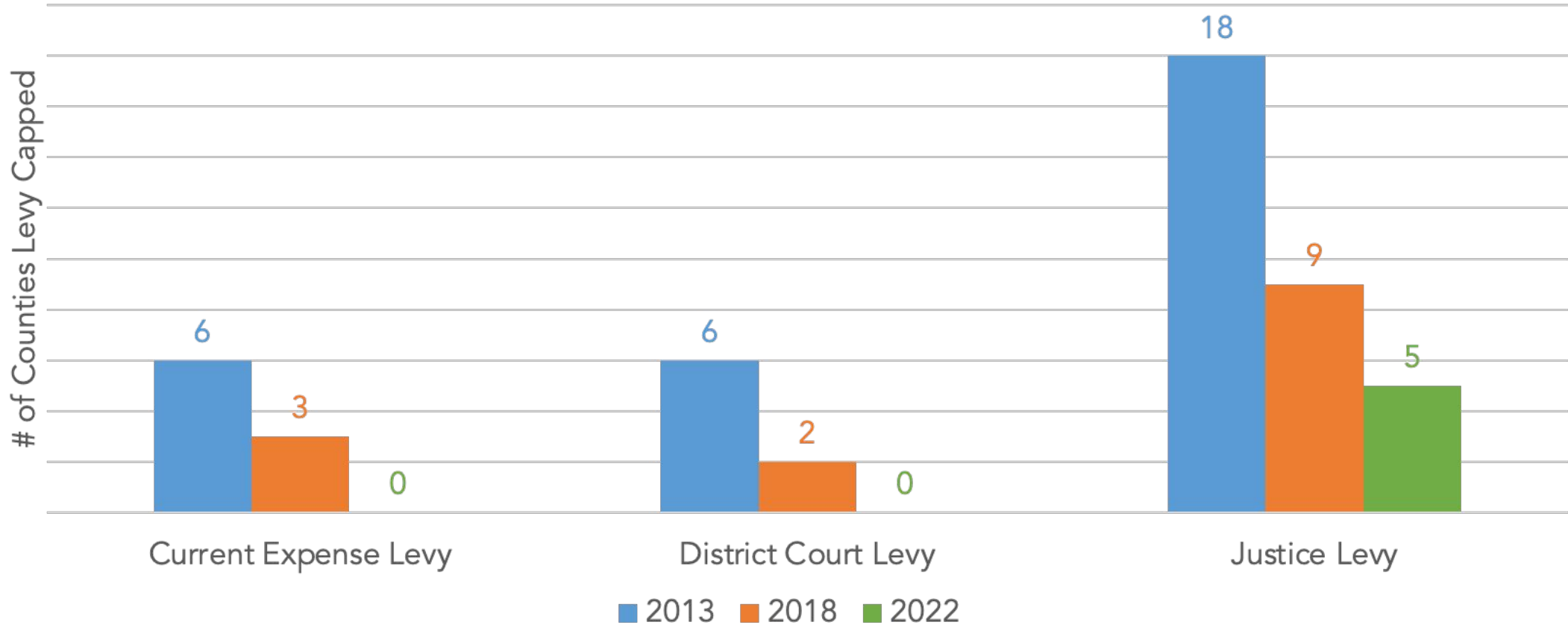
Levy Rate Caps

- County levy rates have statutory levy rate caps
- Levy rate caps work in conjunction with property tax budget caps
- A county may not exceed levy rate caps

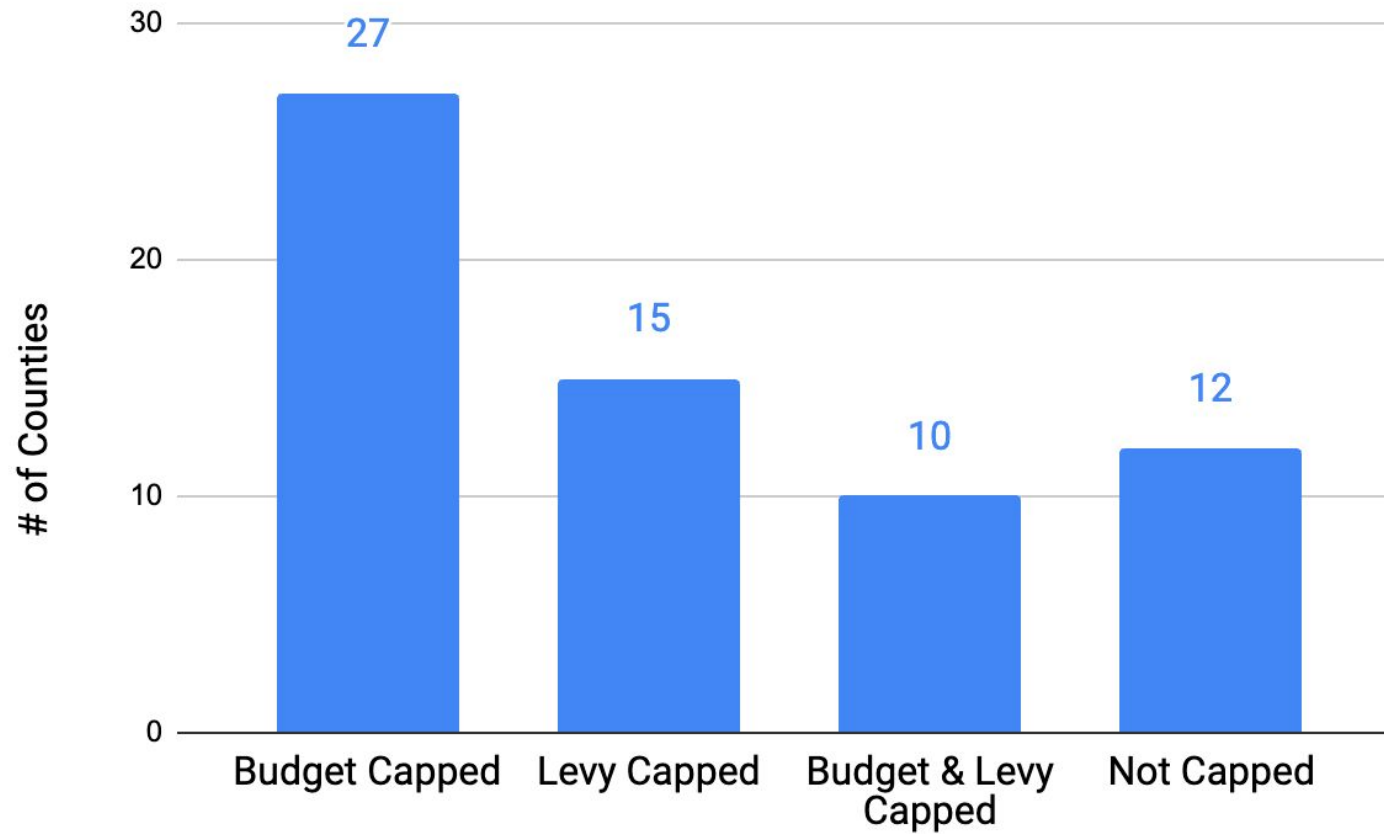
Taxable Market Value, 1980-2022



Impact of Levy Caps



Budget & Levy Caps



Financing County Facilities



Pay As You Go Financing

- Common practice of financing county facilities by paying for a facility up front or within a twelve month period

Lease Purchase Agreements

- Process through which a county enters into a certificate of participation (known as COP) to erect and purchase a courthouse or jail through an annual non appropriation lease
- If the duration of the COP is less than five years, no vote is required
- If the duration of the COP is more than five years (not to exceed 30 years), a simple majority vote is required
- Limitations only apply to courthouses and jails

General Obligation Bonds

- Election required to build courthouse or jail if county cannot pay for facility outright
 - Election must be held in during general election
 - Article VIII, Sec. 3 requires $\frac{2}{3}$ vote (66 $\frac{2}{3}$ %)

Questions?



Bidding & Procurement Basics



IAC Resources

INTRODUCTION TO

BIDDING & PROCUREMENT 2024



IAC IDAHO
ASSOCIATION OF
COUNTIES



IDAHO
ASSOCIATION OF
COUNTIES

General Resources

Chapter 28, Title 67 – Purchasing by Political Subdivisions:

<https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH28/>

Chapter 19, Title 54 – Public Works:

<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH19/>

Idaho Division of Purchasing – Writing Effective Specifications:

https://purchasing.idaho.gov/wp-content/uploads/Publications/writing_effective_specs.pdf

Idaho Public Purchasing Association: <https://nigp-idaho.org/>

NIGP The Institute for Public Procurement: <https://www.nigp.org>

Public Surplus (IAC endorsed online auction site for surplus county property):

<https://idcounties.org/programs-and-services/public-surplus-program/>



Bidding & Procurement Best Practices

- Review and update policies
- Delegate where appropriate (if allowed in policy)
- Perform a legal risk review of procurement process, documents, and other materials
- Be fair and consistent
- Separation of duties (requestor, purchaser, approver, payer)

Why is Public Purchasing Different?

67-2801. LEGISLATIVE INTENT. Efficient and cost-effective procurement of goods, services and public works construction is an important aspect of local government operations. Local public agencies should endeavor to buy goods, services and public works construction by way of a publicly accountable process that respects the shared goals of economy and quality. Political subdivisions of the state shall endeavor to purchase goods and services from vendors with a significant Idaho economic presence.



Exclusion From Procurement Law

- Acquisition of personal property which has already been competitively bid by another state, local, or federal agency
- Purchases of goods and services for which the total cost is less than \$75,000
- Compensation of employees
- Procurement of interest in real property
- Procurement of insurance
- Costs of participating in a joint powers agreement
- Purchase of used personal property
- Cooperative purchasing
- “Piggybacking” legal procurement of state of Idaho or political subdivision
- Purchase of goods for direct resale
- Procurement of travel and training
- Purchase of goods and services from Idaho Correctional Industries
- Repair of heavy equipment and machinery
- Purchase of public utilities
- Purchase of food for use in county jails or detention facilities
- Purchase of used equipment at auction (with BOCC approval)

Delegation of Purchasing Authority

- The BOCC may delegate purchasing authority to another elected official or county employee ([§31-602](#))

Procurement of Public Works Construction

- No bid required if procurement is less than \$50k
- Informal bid process is required for procurement between \$50k and \$200k
 - Solicit three bids and select the lowest
 - If impractical to secure 3 bids, county may accept less than 3 bids
 - If no bids, county may select a contractor without further bidding
 - Can reject bids and start over
- Formal bid process is required for procurement above \$200k
 - Category A: sealed open bid process, must select lowest bid
 - Category B: includes two steps, a prequalification of bidders followed by a sealed bid process, must select the lowest bid
 - Can reject bids and start over
 - If no bids, county may select a contractor without further bidding



Licensed Public Works Contractors

- For public works construction projects valued greater than \$100,000 the county must hire a licensed public works contractor
- There are no licensing requirements for projects less than \$100,000

Procurement of Personal Property

- No bid required if purchase price is less than \$75k
- Informal bid process is required for procurement between \$75k and \$150k
 - Solicit three bids and select the lowest
 - If impractical to secure 3 bids, county may accept less than 3 bids
 - If no bids, county may proceed with purchase without further bidding
 - Can reject bids and start over
- Formal bid process is required for procurement of personal property above \$150k
 - Receive three sealed open bids and select the lowest
 - Can reject bids and start over
 - If no bids, county may select a contractor without further bidding

Qualified Based Selection (QBS)

- For Design Professional Services Over \$50K
- General Description of the Service being solicited
- Measurable scoring and ranking w/criteria
- Scoring and Ranking to be made available to the public
- Publish notice twice in paper - similar to public works notice
 - Cannot ask for Price!
 - May establish and select from a pre-approved list
 - Associated or Phased project
 - Services less than \$50K follow the over \$50K guidance or establish own agency guidelines based on competence and qualifications

Request for Proposal

- When to use the RFP?:
 - Fixed specifications might preclude the discovery of a cost-effective solution;
 - A specific problem is amenable to several solutions; or
 - Price is not the sole determining factor for selection.
- At a minimum, an RFP shall state:
 - The instructions of the process;
 - The scope of work for the goods or services contemplated;;
 - The selection criteria;
 - The contract terms; and
 - The scoring methodology applying relative weights to factors considered.

Cooperative Purchasing

- Bidding and procurement not required if goods and services are cooperatively purchased:
 - “Piggyback” off bids from State of Idaho or other local government entities
 - Purchase through an association which follows bidding and procurement laws

Emergency Purchasing

- A board of county commissioners may initiate emergency procurements outside of the formal procurement process if the BOCC declares an emergency to safeguard life, health, or property

Sole Source Purchasing

- Sole source purchasing occurs when only one vendor is able to provide the good or service, i.e.:
 - Where the compatibility of equipment, components, accessories, computer software, replacement parts or service is the paramount consideration;
 - Where a sole supplier's item is needed for trial use or testing;
 - The purchase of public works construction, services or personal property for which it is determined there is no functional equivalent;
 - The purchase of public utility services;
 - The purchase of products, merchandise or trademarked goods for resale at a political subdivision facility; or
 - Where competitive solicitation is impractical, disadvantageous or unreasonable under the circumstances.

